

# PORTFOLIO COMMITTEE NO. 6 - TRANSPORT

Wednesday, 16 March 2022

Examination of proposed expenditure for the portfolio area

## REGIONAL TRANSPORT AND ROADS

**UNCORRECTED**

The Committee met at 9:30.

### MEMBERS

Ms Abigail Boyd (Chair)

The Hon. Wes Fang  
The Hon. Scott Farlow  
The Hon. John Graham  
The Hon. Daniel Mookhey

### MEMBERS PRESENT VIA VIDEOCONFERENCE

Ms Cate Faehrmann

### PRESENT

**The Hon. Sam Farraway**, *Minister for Regional Transport and Roads*

\* Please note:

[inaudible] is used when audio words cannot be deciphered.

[audio malfunction] is used when words are lost due to a technical malfunction.

[disorder] is used when members or witnesses speak over one another.

## **CORRECTIONS TO TRANSCRIPT OF COMMITTEE PROCEEDINGS**

**Corrections should be marked on a photocopy of the proof and forwarded to:**

**Budget Estimates secretariat  
Room 812  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000**



**The CHAIR:** Welcome to the additional public hearing of Portfolio Committee No. 6 and its inquiry into budget estimates 2021-2022. Before I commence, I acknowledge the Gadigal people, who are the traditional custodians of this land. I also pay respect to Elders past, present and emerging of the Eora nation and extend that respect to other Aboriginals present and those who are watching the broadcast. I welcome Minister Sam Faraway and accompanying officials to this hearing. Today the Committee will examine the proposed expenditure for the portfolio of Regional Transport and Roads.

Before we commence, I make some brief comments about the procedures for today's hearing. Today's proceedings will be broadcast live via the Parliament's website and a transcript will be placed on the Committee's website once it becomes available. In accordance with the broadcasting guidelines, media representatives are reminded that they must take responsibility for what they publish about the Committee's proceedings. All witnesses in budget estimates have a right to procedural fairness according to the procedural fairness resolution adopted by the House in 2018. There may be some questions that a witness could only answer if they had more time or with certain documents to hand. In those circumstances, witnesses are advised that they can take a question on notice and provide the answer within 21 days. If witnesses wish to hand up documents, they should do so through the Committee staff.

Minister Faraway, I remind you and the officers accompanying you that you are free to pass notes and refer directly to your advisers seated at the table behind you and around the room. Finally, could everyone turn their mobile phones to silent for the duration of the hearing. All witnesses need to be sworn prior to giving evidence. Minister Faraway, I remind you that you do not need to be sworn as you have already sworn an oath to your office as a member of Parliament.

**Mr ROB SHARP**, Secretary, Transport for NSW, on former affirmation

**Mr MATT FULLER**, Deputy Secretary, Regional and Outer Metropolitan, Transport for NSW, sworn and examined

**Mr PETER DUNPHY**, Acting Deputy Secretary, Safety Environment and Regulation, Transport for NSW, on former affirmation

**Mr JOOST DE KOCK**, Deputy Secretary, Customer, Strategy and Technology, Transport for NSW, on former affirmation

**Mr DALE MERRICK**, Acting Chief Executive, NSW Trains, Transport for NSW, affirmed and examined

**Mr PETER ALLAWAY**, Chief Customer Officer, Regional and Outer Metropolitan, Transport for NSW, on former oath

**Mr ANTHONY HAYES**, Executive Director, Community and Place, Transport for NSW, on former affirmation

**Ms BARBARA WISE**, Executive Director, Transport Partnerships, Transport for NSW, on former affirmation

**Ms GILLIAN GERAGHTY**, Chief Development Officer, Infrastructure and Place, Transport for NSW, on former oath

**Mr BERNARD CARLON**, Chief, Centre for Road Safety and Maritime Safety, Transport for NSW, on former oath

**Ms CYNTHIA HEYDON**, Executive Director, Planning and Programs, Transport for NSW, affirmed and examined

**The CHAIR:** Today's hearing will be conducted from 9.30 a.m. to 12.45 p.m. with a 15-minute break at 11.00 a.m. We are joined by the Minister in the morning, and in the afternoon we will hear from departmental witnesses from 2.00 p.m. to 5.15 p.m., with a 15-minute break at 3.30 p.m. During these sessions there will be questions from the Opposition and crossbench members only. If required, an additional 15 minutes will be allocated at the end of the morning and afternoon sessions for Government questions. Thank you for your attendance today.

**The Hon. JOHN GRAHAM:** Thanks, again, to the officials for appearing; it is good to see you again. Congratulations, Minister, on your appointment.

**The Hon. SAM FARRAWAY:** Thank you.

**The Hon. JOHN GRAHAM:** I might turn firstly to the issues around the rail shutdown, or whatever term you prefer, Minister; feel free to choose your own term to describe this in the evidence you give to the Committee. I might first just check that the transport officials do actually have your mobile phone number and that they are able to contact you directly as is the case with a number of your other ministerial colleagues.

**The Hon. SAM FARRAWAY:** Yes, the transport officials have my number and I have theirs.

**The Hon. JOHN GRAHAM:** I am not pointing to any particular time at this moment, but in fact they were in contact with you directly over the course of this issue.

**The Hon. SAM FARRAWAY:** When you say "course of this issue", what is the time frame?

**The Hon. JOHN GRAHAM:** I am not pointing to any particular time frame, but it would not be unusual for transport officials to text you directly, for example. That clearly has occurred.

**The Hon. SAM FARRAWAY:** Since becoming the Minister—I think 21 December—I have had phone calls and messages with transport officials about—

**The Hon. JOHN GRAHAM:** That is unsurprising. We have heard evidence from Transport officials about the morning meetings that occur—often with operational questions—and your attendance at those has been exemplary in the evidence we have had.

**The Hon. SAM FARRAWAY:** Thank you, Mr Graham.

**The Hon. JOHN GRAHAM:** I think they have given evidence that you have turned up to 95 per cent of those briefings. Is that your understanding? Is that a fair reflection of the way you have engaged in those?

**The Hon. SAM FARRAWAY:** Yes, I would say that is a fair recollection. They occur three times a week at 8.00 a.m. with the Regional and Outer Metro team, and it consists of the Deputy Secretary of ROM, the

Secretary of Transport but also other representatives and my chief of staff are on those calls as needed. During my first few weeks as Minister, those meetings were sometimes held daily because of COVID and the Omicron outbreak and the implications and challenges that it had on our transport network. But I generally attend those virtually wherever possible.

**The Hon. JOHN GRAHAM:** I now want to turn to some specific dates and times in relation to the trains shutdown. We have been given strong evidence about Sunday 20 February. The decision to close the rail network for safety reasons, as outlined, was made between about 10.30 p.m. on Sunday 20 February and 10.43 p.m. when the Deputy Secretary of Transport contacted Minister Elliott's chief of staff. Your team was also contacted; what can you tell us about this contact?

**The Hon. SAM FARRAWAY:** I received a text message, along with my chief of staff, from the Deputy Secretary of Regional and Outer Metro, Mr Fuller, that indicated that the union position had changed. I received that text message along with my chief of staff. I, at 10.43 p.m., did not read the message as I was asleep. In terms of that time line of events, that is when I received the message but obviously it was not read.

**The Hon. JOHN GRAHAM:** What did that message say?

**The Hon. SAM FARRAWAY:** It indicated that the union position had changed since the Fair Work hearing on Saturday.

**The Hon. JOHN GRAHAM:** We have the text messages tabled—for example, those that Minister Elliott's office and Minister Elliott received that night. Would you be happy to table that text message so that it is clear what the advice was that you received at 10.43 p.m.?

**The Hon. SAM FARRAWAY:** Are those messages not already tabled?

**The Hon. JOHN GRAHAM:** I do not believe that specific one is.

**The Hon. SAM FARRAWAY:** If you want that specific text message that was sent from Mr Fuller, I am happy to table that.

**The Hon. JOHN GRAHAM:** I appreciate that; I think that would be helpful. So you were asleep but your chief of staff was subsequently briefed that evening; is that correct?

**The Hon. SAM FARRAWAY:** Yes. In the message it indicated obviously that the union position had changed and Mr Fuller requested to speak. My chief of staff phoned Mr Fuller and at 11.13 p.m. they spoke and it indicated that the union position had changed, that there were comms available that were being prepped from Transport and my chief of staff indicated that Minister Elliott would be leading on the issue and we would have a supporting role.

**The Hon. JOHN GRAHAM:** Quite understandably. We have had quite clear evidence that when those senior Transport officials went back into that Transport meeting, there was no doubt in the minds of the people in that meeting what had been communicated was that the train system would be shut down the next day, for whatever reason—let us not debate the reason. Did your chief of staff understand after that phone call that the train system would be shut down, that there would be few trains running that next day?

**The Hon. SAM FARRAWAY:** My chief of staff was satisfied at that point in the conversation with Mr Fuller at 11.13 p.m. that, one, as the Minister looking after freight we had concessions with the RTBU and that freight services would continue on the Monday; we knew that there would be minimal disruption to the broader regional services, such as the XPT, such as the Endeavour and Xplorer fleets that go north, south and west; and my chief of staff was of the understanding that the intercity services would be significantly disrupted and, where possible, a coach replacement could be an option. It is fair to say we did not know how many coach replacements; there was never a number put on it. But, where possible, if a coach replacement was a possibility, it would be looked at. It is important to note that my chief of staff knew the comms internally in Transport was underway and we had had confirmation that Minister Elliott was aware of the situation.

**The Hon. JOHN GRAHAM:** So, in your mind, Minister Elliott was to lead as the metro rail Minister, but your office understood that night at around this time, at 11.13 p.m., that for the intercity fleet there would be significant disruptions and few trains would be running on those rails?

**The Hon. SAM FARRAWAY:** My chief of staff had the understanding—as I outlined to you a moment ago with reference to the intercity fleet—that there would be significant disruption on the Monday to the intercity fleet because of the way that it intersects with Sydney Trains and that, where possible, if a coach replacement was possible, Transport would look at that option.

**The Hon. JOHN GRAHAM:** Let me put it to you this way: You are not disputing the clear evidence from the Transport officials that, when they walked back into that meeting, it had been clearly communicated that there would be some sort of shut down and rail services would be significantly disrupted. That was communicated via your chief of staff, for whatever reason?

**The Hon. SAM FARRAWAY:** Mr Graham, I will outline to you—the next morning, after the briefings that I had with my chief of staff—the understanding that he had and that my office had, bearing in mind, as Minister Elliott has discussed in budget estimates, that any Minister in the Transport cluster has had to deal with some level of disruption to the network since we became Ministers with the rolling industrial action. That night my chief of staff was of the understanding that—significant disruption to the intercity fleet and the understanding was that, where possible, if a coach replacement was possible, that would be looked at and that the XPT fleet, Endeavour fleet, Xplorer fleet would run with minimal disruptions. And thirdly, again, as the Minister responsible for freight, we have seen through COVID, we have seen through flooding that moving critical freight across New South Wales is absolutely important, and we had that concession with the RTBU.

**The Hon. JOHN GRAHAM:** Minister, I think you have made those points well. I do not think that is in dispute.

**The Hon. SCOTT FARLOW:** Point of order: The Hon. John Graham has asked the Minister to outline his understanding of what occurred that night. This is a very important issue and we have had a lot of evidence now. This is the fourth budget estimates hearing. I ask that the Minister be able to answer what his understanding was that evening. I think that would assist the Committee greatly.

**The Hon. DANIEL MOOKHEY:** We are having a very respectful exchange, certainly by this Committee's standards. Let it continue. I am sure the Minister and the member can directly interact with each other in a manner that is consistent. We will leave them to it.

**The Hon. JOHN GRAHAM:** Minister, I think what you have outlined is not disputed, and you have put the case well. What is in dispute is this—and I am interested in your view—we have in front of this Committee very strongly differing accounts of what was communicated that night. Senior Transport officials all agree that they communicated there would be a shutdown, there would be significant disruptions that evening. They were in no doubt about what had been communicated—the decision that was made between 10.30 p.m. and 10.43 p.m. You were also informed via your office. I am asking you, which of these two views do you agree with—the Transport officials, who say that was communicated, or Minister Elliott, who says something else was communicated entirely? Do you have a view on that?

**The Hon. SAM FARRAWAY:** Mr Graham, I would make a couple of points.

**The Hon. JOHN GRAHAM:** Given you were briefed.

**The Hon. SAM FARRAWAY:** Firstly, I think my opinion is somewhat probably irrelevant to this situation because the reality is whether a phone call was made or a text message was made, whatever the circumstances could have been in that situation, the decision would not have changed. The reality is that if safety assessments are done of the network by Transport for NSW and they determine that those safety assessments deemed—

**The Hon. JOHN GRAHAM:** I am going to draw you back to the question, though—

**The Hon. SAM FARRAWAY:** No, no, I think it is important because—it is directly relevant to the question because it ties in exactly with what happened that day. The point I make is that if Transport are unable to run the rail network safely, you do not run the rail network. Irrespective of what happens in between, it is irrelevant. My opinion is irrelevant on what Minister Elliott knew. You have had Minister Elliott at estimates, asking the question.

**The Hon. JOHN GRAHAM:** Minister, someone did not do their job on that night.

**The Hon. WES FANG:** Point of order: Mr Graham asked a very detailed question and the Minister is providing a very detailed response. He needs to be able to finish that detailed response before Mr Graham talks over the top of him. It is basic procedural fairness.

**The Hon. DANIEL MOOKHEY:** I would just caution everybody here on two things. Firstly, the Minister cannot debate the question, which he is straying towards when he is discussing whether it is an irrelevant question or not. He is getting egregiously close to breaching that line and, of course, the member should always treat the witness with respect.

**The Hon. JOHN GRAHAM:** There is a strong dispute here about the facts on the night. Minister, you were briefed and I want to understand what you understood was communicated to you, because it is material to

who the Committee should believe. Transport officials have given one bit of evidence about what they said; Minister Elliot has a totally different story in the Parliament. You were briefed, you were given the same briefing, albeit by a different official. Given that briefing, did you understand that there would be a shutdown and there would be significant disruption? Who is right here?

**The Hon. SAM FARRAWAY:** Firstly, with a bit of context, my opinion on how Minister Elliott was briefed is irrelevant. You will need to direct the question to Minister Elliot. If you would like to continue to question me on my office and the time line of events as the Minister for Regional Transport and Roads, I am happy to do that. Again, for the record, I will clarify for the time line. At 10.43 p.m. I received a text message, along with my chief of staff, from the deputy secretary of regional and outer metro, Deputy Secretary Mr Fuller, and it advised that the union position had changed and if we could speak shortly.

**The Hon. JOHN GRAHAM:** Did your chief of staff call you after receiving that text message that night?

**The Hon. SAM FARRAWAY:** No, my chief of staff did not call me. My chief of staff phoned the deputy secretary and had a briefing at 11.13 p.m.

**The Hon. JOHN GRAHAM:** At 11.13 p.m., yes. Minister, why did you then tell the Parliament that you were first advised on Monday morning at 6.00 a.m. when you watched the news, given that you had been texted the night before about this issue?

**The Hon. SAM FARRAWAY:** The question in question time—and I know exactly what you are referring to—was when did I first learn of the rail disruption. My first learning of the rail shutdown, if that is what the terminology is going to be used today, was on the morning news when I first woke up approximately at 6.00 a.m. on the Monday morning. I then obviously checked my phone and there was the message. I then spent the following hour messaging and on the phone with my chief of staff, getting a full understanding of the conversations that took place the night prior.

I was offered an additional briefing, if I wanted it, earlier than the scheduled 8.00 a.m. regional outer metro briefing. I was comfortable that it could wait until 8.00 a.m. because I would have Mr Sharp as the secretary and Mr Fuller as the deputy secretary on that briefing together. I wanted both the secretary and the deputy secretary there so they could answer my questions and to give a full update and briefing on the matter. Again, I say, Mr Graham, in the early hours of that Monday morning when I discovered the time line of events that had occurred in early hours of that morning and the previous night, I was comfortable that my office was briefed, and we understood or had an understanding and were satisfied that in the regional and outer metro space of Transport that we knew what the disruption would be.

**The Hon. JOHN GRAHAM:** Minister, I do not begrudge you a good night's sleep. Rail commuters might, but I do not begrudge you a good night's sleep.

**The Hon. SCOTT FARLOW:** What time did you go to bed last night, John?

**The Hon. JOHN GRAHAM:** But this is the question you were asked:

... when was the Minister for Regional Transport and Roads briefed on the decision to shut down the rail network?

The answer was "Monday morning at 6.00 a.m. when I watched the news". Why did you fail to mention the text message you received, the text message your chief of staff received, the briefing your chief of staff received the evening prior?

**The Hon. SAM FARRAWAY:** Because when I had that answer, at that point I had not had the briefing at 10.43 or 11.13 because I did not participate in that briefing. I had the briefing the next morning directly after 6.00 a.m. with my chief of staff, which was then followed by our scheduled regional and outer metro briefing at 8.00 a.m., of which I attended along with my chief of staff, the Secretary of Transport and the Deputy Secretary of ROM.

**The Hon. JOHN GRAHAM:** You did not think it was material that in fact you were alerted and your office was briefed the night before?

**The Hon. SAM FARRAWAY:** I have answered—

**The Hon. JOHN GRAHAM:** You did not think that was material when you spoke to the Parliament?

**The Hon. SAM FARRAWAY:** Mr Graham, you can keep asking the same question over again but you are going to get the same answer, so I refer you to my previous answer.



**The Hon. JOHN GRAHAM:** No, I do not accept that, Minister. Do you accept that under the Westminster conventions if your office is briefed, the Minister is responsible for that? Do you accept that?

**The Hon. SAM FARRAWAY:** Again, as I have said, Mr Graham, in the early hours of that Monday morning I spent some time on the phone getting briefed from my chief of staff, who outlined the time line and the chain of events. As the Minister for Regional Transport and Roads, I was satisfied that my portfolio responsibility areas—and we have been through them in terms of the XPT, the Endeavour, the XPLORER, the regional services, the responsibility for freight and obviously the significant disruption to the intercity fleet—that my office had been briefed and that we understood what was going to happen on the Monday morning in terms of our portfolio.

**The Hon. JOHN GRAHAM:** Minister, what I do not understand is why when you were asked specifically "When did you first know about this? When were you briefed?", you skip half a day in the time line here.

**The Hon. WES FANG:** Half a day?

**The Hon. SCOTT FARLOW:** He was asleep.

**The Hon. SAM FARRAWAY:** Mr Graham, what would you like me to say? If the phone had rung, I would have answered it. The phone did not ring, and at the end of the day what is important to note—

**The Hon. JOHN GRAHAM:** Isn't part of the problem here that Minister Elliott's alibi unravels—

**The Hon. SAM FARRAWAY:** What is important to note, Mr Graham, is that—

**The Hon. JOHN GRAHAM:** —if you actually tell the truth here?

**The Hon. SAM FARRAWAY:** Mr Graham, what is—

**The Hon. JOHN GRAHAM:** Is that part of the reason you did not reveal this?

**The Hon. WES FANG:** Are we going to talk over each other? Is that what we are doing? Hansard cannot record this.

**The Hon. DANIEL MOOKHEY:** I uphold the point of order. We will just have question and answer.

**The Hon. SAM FARRAWAY:** Yes, one has to be able to answer the question, Mr Graham.

**The Hon. JOHN GRAHAM:** Precisely my concern.

**The Hon. SAM FARRAWAY:** Mr Graham, as I said earlier, in the event—it would not have mattered because my office were briefed and we understood what we would broadly be facing the next day to our regional and outer metro teams. If I had been phoned and taken the phone call, do you know what, Mr Graham, the outcome would not have been any different because the one element you are missing to all this is that if the rail network cannot be operated safely, you cannot operate the rail network.

**The Hon. JOHN GRAHAM:** Minister, let me put this question to you gently.

**The Hon. SAM FARRAWAY:** It was not going to operate—

**The Hon. JOHN GRAHAM:** I will just put this question to you gently. I do not mind you putting that in context, but this is the problem you have got. One of the fundamental issues, one of your fundamental obligations as a Minister is to be able to answer this question when it is put to you, clearly and honestly: When did you know about something?

**The Hon. SAM FARRAWAY:** I have answered this question several times this morning, and I will refer you to my previous answer.

**The Hon. JOHN GRAHAM:** Minister, I am asking—okay. I am going to finish putting the question. That is a simple question that every Minister of the Crown has to be able to answer accurately: When did you know about this? You have failed to do so when you briefed the Parliament. That is the problem. Do you concede that is a problem? Do you want to correct the record what you have put in the Parliament?

**The Hon. SAM FARRAWAY:** I totally disagree with the premise of your question.

**The Hon. JOHN GRAHAM:** Thank you.

**The Hon. SAM FARRAWAY:** You can rephrase it, but I disagree with the premise of the question completely.

**The Hon. DANIEL MOOKHEY:** Minister, when were you first advised that your agency was intending to make an application to the first Fair Work Commission to seek interim orders to prevent the industrial action?

**The Hon. SAM FARRAWAY:** I was updated or briefed in the lead-up to the hearing on Saturday.

**The Hon. DANIEL MOOKHEY:** Do you know precisely when?

**The Hon. SAM FARRAWAY:** I will take it on notice.

**The Hon. DANIEL MOOKHEY:** Well, we had established from the evidence that was given to Minister Elliot that there was a briefing provided to his office by the Transport executive on the Thursday morning at 12.30 p.m. Were you present at that meeting?

**The Hon. SAM FARRAWAY:** No.

**The Hon. DANIEL MOOKHEY:** Why not?

**The Hon. SAM FARRAWAY:** I was not.

**The Hon. DANIEL MOOKHEY:** Were you asked to come to that meeting?

**The Hon. SAM FARRAWAY:** I will take it on notice.

**The Hon. DANIEL MOOKHEY:** Mr Sharp, did you ask this Minister to attend that meeting?

**ROB SHARP:** The briefing, the meeting was organised by Minister Elliot. It was for Minister Elliot specifically in his role for that briefing.

**The Hon. DANIEL MOOKHEY:** Mr Sharp, did you request any urgent meetings with this Minister to brief him at all?

**ROB SHARP:** With Minister Faraway? No.

**The Hon. DANIEL MOOKHEY:** Why not?

**ROB SHARP:** The lead-up to this was Fair Work, and the Fair Work Commission sits with Minister Elliott and also with Minister Tudehope.

**The Hon. DANIEL MOOKHEY:** We might resume this in 20 minutes' time.

**Ms CATE FAEHRMANN:** Thank you, Chair. Can you hear me okay?

**The Hon. DANIEL MOOKHEY:** Yes, you are coming through fine.

**Ms CATE FAEHRMANN:** Excellent. Minister, I just wanted to move things a little bit to what is happening in the northern rivers region as a result of the horrendous catastrophic floods. Could you tell the Committee how much additional resources—and what are they—have you provided to the northern rivers to clear and repair roads and bridges since the floods?

**The Hon. SAM FARRAWAY:** Certainly, Ms Faehrmann. Firstly, I have been on the ground on the North Coast and northern rivers region. Lismore is well-known as a flood town, and I would agree with the sentiment of the hardworking local mayor of Lismore that this was more than a flood. What has occurred in Lismore is a natural disaster. To answer your question, I have been on the ground for a few days last week meeting with the mayors of Tweed shire, Byron shire and Lismore City Council. I have met with the three local State members up on the North Coast, one of which is a colleague of yours, Ms Faehrmann—Tamara Smith. I have met with the Labor member for Lismore, Janelle Saffin, and The Nationals member for Tweed, Geoff Provest. I have included them in my meetings with local government.

From that visit it was clear that the scale of damage in road infrastructure is significant. The landslips and just the sheer damage are quite significant. I think what is important, and the feedback I got from local councils, is that they need some assistance in the early response phase to be able to assess and scope what the damage is. There are regional and local roads owned and administered by councils that are still not accessible. The size and scale of the damage is probably, in some ways, to the next level of what council has had to deal with in the past. Part of the learning from that trip was that we have been able to deploy, at Transport's cost, geotechnical advisers and also engineers to the North Coast. We were able to get a couple of geotechnical advisers into the region within—and I am happy to take this part on notice, but I think it was—maybe two or three days of my visit, being on the ground to work with council to assess some of that damage.

One of the concerns obviously for council, in particular Lismore whose operations have completely been turned upside down, was the ability for them to stand up more crews, the ability for them, if they have lost plant

and equipment, to hire that equipment—whatever they need to do to access roads to restore and repair. The immediate response to those roads, they need to be able to do that with certainty. That is why only this week, through the hardworking team at Transport for NSW working with Resilience and the Commonwealth, we are advancing \$46 million to 10 local councils on the North Coast.

This comes from the Commonwealth disaster declaration funding—this is category B funding—but what we have aimed to do in this space is to advance this money from Transport to the councils to allow them to draw down on these funds so they have the certainty of cash flow for the next 30 days if they need to fill potholes, if they need to do some very urgent repair work. If they need to get excavators and graders into more remote areas, and contractors in, even outside of the area at a cost to that council they can do that without the worry of cash flow issues. That has been rolled out. Eight councils will be able to draw down on up to \$5 million and two councils will be able to draw down on up to \$3 million. Those numbers are—

**Ms CATE FAEHRMANN:** Okay, thank you, Minister. That was reasonably comprehensive regarding the conversations that you have had. Have you been briefed on, for example, the number of landslips or landslides that have occurred in the region? I have had dozens of conversations over the past few days with locals, particularly outside of Lismore in the foothills around The Channon, Terania Creek, around Kyogle and Nimbin, where landslips—people are saying dozens, potentially hundreds; it is unknown as there are so many—have blocked roads. When I am checking in on people to see if they are safe, their biggest concern, if they have not lost their house, is that they are still cut off. These landslips are still there. Just giving the councils money right now, do you think that is enough from the State Government? Do you not think a huge workforce needs to go into the area and assist with clearing those landslips urgently?

**The Hon. SAM FARRAWAY:** I would say that I had not finished, as you described, the comprehensive update I was giving; there was still more to go, which you will be pleased with. The next step, Ms Faehrmann, is that I agree that the scale of the landslides and slips and instability in roads up there is significant, but the reality is that we do not know the scale as yet. What we are doing as Transport for NSW in sending in the geotechnical advisers and engineers where needed is that we are getting them to assess the damage that they know of, and this is going to be progressively developing over the next few weeks. The money that we have committed in the \$46 million is not the be-all and end-all in road infrastructure funding for the North Coast; it is literally a cash flow measure, a sign of certainty to those councils that they do not have to worry about putting in claims because Transport is going to basically advance them the money and help them with those claims in the response phase over the next 30 days, but—

**Ms CATE FAEHRMANN:** Minister, do you see that there is urgency here, though? I have just spoken about communities that are still cut off from basic essential services because of landslips. You are talking about assessing the needs over the next few weeks. They have already been cut off for 2½ weeks. Surely getting out to these communities, looking at the roads, clearing them and trying to establish some kind of a connection for them is what we need in the first instance. I think when you are talking about geotechnical engineers all that is important potentially for the medium to short term, but we are still in a state of emergency up there and we need all hands on deck. I am just wondering what the State Government, what your department—additional people power, if you like—has done to get people and equipment on the ground. I am talking about hundreds of people. We need hundreds of workers right now, construction—

**The Hon. WES FANG:** Point of order: Ms Faehrmann has a very limited amount of time and she is using it up with a rant. The Minister is trying to provide an answer.

**The Hon. DANIEL MOOKHEY:** I understand the point. The member was literally coming to the question just as you took the point of order. I uphold the point of order. The member can come to the question and the Minister can respond.

**The Hon. SAM FARRAWAY:** Ms Faehrmann, I still have a fair way to go with my comprehensive update, so please let me finish because there is a lot of space and this is an important issue. Please let me finish. In addition to the funding and the visits, I will be back up on the North Coast for a couple of days this week. In addition to that, we have set up and established a specialised unit and task force within Transport that feeds directly into Resilience NSW. The deputy secretary of regional and outer metro is on the State Recovery Committee. In the event that there are cut-off communities or people that have road infrastructure that cuts them off from school, from critical services and from townships, that is relayed through Resilience and it is relayed through our emergency services. That process is working and, where possible, emergency services and Resilience will talk to Transport for NSW to see what works if council is unable to do them and if Transport can do them.

I will give you more examples. The township of Yamba has one supermarket, which is Coles. During the flood crisis they had not had a delivery of resupply at that store for seven days. The council did not have the resources to be able to assess that road for safety and to see if we could escort five truckloads of Coles trucks into

that community. Transport stepped in with our equipment and worked collaboratively with council. We were able then to escort those five truckloads of goods and services, and food and water into Coles to restock. I think we have done a lot of work in this space. As I said, the State Recovery Committee is established. A lot of what Transport is doing in conjunction with other government agencies takes place on that committee. Mr Fuller is a member of it. There is a lot of work being done there. I fully accept that there are communities and individuals that may live in the hinterland region that are cut off. They are maybe council roads, but certainly emergency services is taking a serious approach to that and, where possible, that is relayed through the correct local SEOC and, if Transport needs to be engaged, it is happening; it is already happening.

**The Hon. DANIEL MOOKHEY:** I think there are six seconds left, Ms Faehrmann, so we might not have time.

**Ms CATE FAEHRMANN:** Okay, I will come back in another round, thanks Chair.

**The Hon. DANIEL MOOKHEY:** Thank you. Mr Farraway, you used the term "SEOC". For Hansard, you probably need to give us the full term.

**The Hon. SAM FARRAWAY:** It is the State Emergency Operations Centre. Sorry.

**The Hon. DANIEL MOOKHEY:** Equally, you said would table a document previously—the text message that you mentioned earlier in the first session in response to Mr Graham's question. Do you have that?

**The Hon. SAM FARRAWAY:** I will table that before the end of the session or before the end of the day. I will need to go find it.

**The Hon. DANIEL MOOKHEY:** Okay. Thank you. We will now go to Mr Field.

**Mr JUSTIN FIELD:** Thank you, Chair, and good morning, Minister. Congratulations on the new role. I acknowledge the detail in your previous answer and the work you have been doing with communities on the North Coast. Not to at all compare the impact on the South Coast to that on the North Coast, which I know has been absolutely catastrophic, but I am sure the community and the councils down there, who are also facing a pretty substantial repair bill as a result of the recent events—actually, there has been quite a challenging period of time in terms of weather. There have been multiple landslips due to extreme rain events, even before this more recent flood event on the South Coast. I am just wondering if any of that funding that is available to councils on the North Coast is available on the South Coast as well.

**The Hon. SAM FARRAWAY:** Firstly, that weather event certainly hit Greater Sydney and we have seen the damage that it has caused to Greater Sydney, the Hawkesbury, the Blue Mountains in particular and, yes, the South Coast. I have been getting daily updates on disruptions to the network, damage to the network on the South Coast, and it is as important as any other regional area that I am responsible for across the State. A few points that I think are important to make are that the task force that has been set up—the specialised unit within Transport that essentially feeds into Resilience NSW, into the recovery committees—is a statewide task force. It will be dealing with any of the damage from this weather event, which will include the councils on the South Coast.

We have not formalised an advance payment to South Coast councils as yet but I have been in contact with our Transport officials on the ground in the south. I have been speaking with some of the local members that have been impacted as well and Transport is working through that. So we are having that dialogue with local government now to find out what resources, the scope of damage, where they want the help. Transport for NSW and myself as the Minister responsible for a lot of highways in this State, we have our own roads to repair, but this is a huge task in front of councils. It is huge.

As the Minister for Regional Transport and Roads, I do not want councils feeling as if they cannot deal with it and it is overwhelming. So the support via this task force, which is in a response phase now and which will eventually, over the course of the next month, move to a transition, to a recovery phase, when we assess more of the damage and have what is a multi-year plan, I believe, in the recovery in particular for the North Coast, but the South Coast will be able to access the resources within Transport of the task force and the individuals that will be in there working on the specific damage and the specific issues that these communities are facing. With regard to the advance funding, that is something that we are working through now.

**Mr JUSTIN FIELD:** But you would accept that it is ultimately going to be about money. There is no way that councils—North Coast, metro or South Coast councils—are going to have the resources to repair local roads under their current budgetary constraints. The damage is substantial so it will ultimately come down to money. The North Coast money, the advance funding that you mentioned in answer to Ms Faehrmann's question, was, I think, Commonwealth funding. Have you asked the Commonwealth to look at expanding that funding out to the other councils, whether they be metro, South Coast or other regional councils?

**The Hon. SAM FARRAWAY:** Well, yes, but firstly, to clarify, it is category B funding that does come from the Commonwealth through the natural disaster declaration. What we are doing in advancing the money is we are removing the application process for councils and we are covering that cost in the initial stage to give them certainty and cash flow for the next 30 days. This is not for council to go and repair all their road network. This is emergency works. They are going to have cash flow because some councils will not be able to collect rates and will have works depots that have been destroyed. They do not have any equipment or plant so they need to address that in the short term.

Yes, it is about money. It is going to be hugely expensive to replace all this infrastructure, in particular the road infrastructure, but in order to understand what the scope and scale of the damage is you need to do the work at the front end. That is where councils have asked for help on the North Coast so far. That is where we have deployed some of our resources, as we discussed, in geotechnical advisers and engineers to do that. Because I think that if we have a proper understanding of the scale of the damage and what is there, we can then work out what the cost is.

The reality is, Mr Field, that we are not going to be able to repair this infrastructure overnight. It is going to take some time. I and my office with Transport over the coming weeks—and months, I suspect—will be working hard with these communities to have a longer-term plan. A lot of that is working with Resilience as well but also the Commonwealth, because it is going to be expensive. But we are up for the task. I think it is important that communities have a plan. To answer your question about the South Coast communities, we are happy to look at it on a case-by-case basis. If we have communities in the Southern Highlands, on the South Coast or south of Sydney that have been impacted by that weather event and they want the same arrangements as we have rolled out on the North Coast, we are happy to look at it on a case-by-case basis.

**Mr JUSTIN FIELD:** Largely it is a result of the natural disaster declaration on the North Coast that has enabled that funding from the Commonwealth to be made available to them. Is that correct?

**The Hon. SAM FARRAWAY:** That is correct. But as more LGAs have come online or have been declared available for the Commonwealth natural disaster declaration, that obviously allows money to be advanced. Transport is using its own cash in advancing it so that councils are ready to go and the councils do not need to be filling out forms in the early phases of what is an emergency response to fill potholes and open some local roads.

**Mr JUSTIN FIELD:** Sure. I can assure you that it might not be quite the emergency, but driving anywhere on the South Coast at the moment is treacherous and on some State roads as well as local roads. I am sure you have seen that in your own travels. Just to be clear, you just suggested that if councils want to be brought into that same arrangement on the North Coast they just need to write to you. Is that the case?

**The Hon. SAM FARRAWAY:** Yes. But the point, Mr Field, is that our Transport officials on the ground in the south of the State are already talking and working with these councils. Obviously, as you discussed, it is still a significant event that has hit the south of Sydney and the South Coast. Perhaps the amount or quantity of the resources they need or the help that they need on the ground might be different in Bowral versus Lismore, obviously—both impacted but, yes, on different scales. We are open to working with council, because it is only together that we are going to be able to rebuild this infrastructure.

**Mr JUSTIN FIELD:** Sure. A lot of work has been done on the Princes Highway in recent years and a lot more work is proposed to be done, in particular that area between Nowra now and Batemans Bay, or let's take it down to Moruya. I have written to you recently about some of these issues. There has been growing concern across the community, particularly in the Shoalhaven, about community consultation around the Princes Highway upgrades. Are you aware of some of those concerns? Have you had a briefing on where those various projects are up to?

**The Hon. SAM FARRAWAY:** Princes Highway—yes, I have had briefings. It is a large project, like many of the other projects that we have in the Transport space. Specifically, have you got—

**Mr JUSTIN FIELD:** Yes, for example, the Milton-Ulladulla bypass, which will come out at Burrill Lake. Recently six members of the co-design committee that was established by Transport for NSW resigned before the final meeting. They are just of the view that Transport for NSW was not listening. None of the options is suitable to the community down at Burrill Lake. They have resigned. They are quite public in their concerns about how that process was run, about the way the information that was discussed and debated in that committee was presented by Transport for NSW, the fact that that there were non-disclosure agreements that they had to enter into to be part of that so-called community co-design committee.

The other example is that at a Transport forum with the Tomerong community recently the preferred option for the JB road to Sussex road has already been determined and they did not even know about it. They felt



like there was no consultation at this point, despite the fact that the preferred corridor had already been chosen by Transport for NSW. There is secrecy. I have had to GIPAA basic information not on the public record: the preliminary environmental investigation, the value management study. The key documents that actually led to the determination of the preferred corridor are secret. I had to GIPAA them to get them out into the public so that the community would even know that these processes were happening. That is not good enough.

**The Hon. SAM FARRAWAY:** What I will do, Mr Field, is—I have had briefings on the Princes Highway. It obviously is a large project, like many of the other significant legacy building projects that we are delivering as the New South Wales Government. But I might pass to Mr Fuller, who may get Mr Hayes to update you on perhaps Burrill Lake and the Milton-Ulladulla bypass and what has actually been done on the ground by Transport.

**Mr JUSTIN FIELD:** If it is possible, Mr Fuller, we can come back. I will be here all day, as I am sure you will be. But while I have got the Minister, I think the concern is that you have got a series of projects on the Princes Highway, but they are not really connected in the way they are being looked at. In the mind of the community, they are these discrete projects that are all being determined independently with no real cohesion, it looks like. But they are our local roads as much as anything. We face 10 years of disruption. It will be important work, but if we are going to spend the money, let's get it right. What can you do to assure the community that there is going to be a whole-of-region look at how this project is rolling out, how the community will be impacted and how we can do it right?

**The Hon. SAM FARRAWAY:** Firstly, I will say that I have been at times on the South Coast and on the Princes Highway in certain communities and it has been raised with me on both sides of the argument. So, firstly, I know of the Burrill Lake committee. I know of it. I do not know the finer details about that situation. You will need Mr Fuller and possibly Mr Hayes to update you on that. But I have met with the communities for the Moruya bypass as part of the Princes Highway upgrade. I have met with them and made commitments and I have followed through with those commitments.

I must say, I get correspondence from people that live in Milton and Ulladulla and they want the bypass. I get correspondence from those that live in Burrill Lake and they do not want it. I read all the correspondence and I take it all on board. But in terms of the first part of your question regarding that committee, it is an operational matter. It is something that I do not have the particular details on. You will need Mr Fuller and Mr Hayes to probably update you further on that.

**The Hon. DANIEL MOOKHEY:** Minister, we might resume the questions we were asking before. Firstly, can I just ask, as the Minister responsible for NSW Trains, do you accept that it is your responsibility to oversight NSW Trains' conduct in this particular industrial dispute?

**The Hon. SAM FARRAWAY:** I would say that as the Minister for Regional Transport and Roads, I look after the operations with the agency—Transport for NSW for NSW Trains, NSW TrainLink and the regional train operations. I would say that in terms of the rolling industrial action and the Minister responsible for or leading the industrial relations response, you will need to direct those questions to Minister Tudehope.

**The Hon. DANIEL MOOKHEY:** Sure. But the union gave notice of industrial actions on 9 February. When were you told?

**The Hon. SAM FARRAWAY:** I will have to take that on notice.

**The Hon. DANIEL MOOKHEY:** You have no recall of being advised?

**The Hon. SAM FARRAWAY:** I have had updates since I became the Minister on the rolling industrial action. I think it is fair to say that with rolling industrial action, we have had different levels of disruptions the whole time. So it is not that I do not know; it is just that there has been a lot. So how about I get you the exact details?

**The Hon. DANIEL MOOKHEY:** To be fair—

**The Hon. SAM FARRAWAY:** Or, Mr Mookhey, I am happy if the secretary—

**The Hon. DANIEL MOOKHEY:** No. If the secretary—

**The Hon. SAM FARRAWAY:** The secretary is here advising. He may very well be able to answer your question.

**The Hon. DANIEL MOOKHEY:** Did the secretary advise the Minister after 9 February that you had been notified of the industrial action that was looming?

**ROB SHARP:** Yes. During our morning operational meetings, references were made to the notices that came in. As the Minister indicated, we have had a number of months of rolling industrial action. It is basically almost a permanent agenda item in terms of updates.

**The Hon. DANIEL MOOKHEY:** Indeed. So you were specifically, sometime from 9 February onwards, given that you have those meetings on Monday, Wednesday and Friday—was it? It would have been the Wednesday, the day after, that you would have been told.

**The Hon. SAM FARRAWAY:** Mr Mookhey, I have been updated and briefed on the rolling industrial action since I became the Minister on 21 December.

**The Hon. DANIEL MOOKHEY:** Minister, I was asking the question—

**The Hon. SAM FARRAWAY:** I am giving you an answer.

**The Hon. DANIEL MOOKHEY:** No, you will find that this will be far more—

**The Hon. SAM FARRAWAY:** That is your standard line, Mr Mookhey.

**The Hon. SCOTT FARLOW:** That is what you always say, and it is not true. You are misleading the witness.

**The Hon. SAM FARRAWAY:** You have got to remember that this is my old committee, Mr Mookhey. I used to sit over there.

**The Hon. JOHN GRAHAM:** You are welcome back.

**The Hon. DANIEL MOOKHEY:** I know, Mr Faraway, and with the way you are going, you might be sitting there again soon. Let us continue onwards.

**The Hon. WES FANG:** How is that impartiality going, Chair?

**The Hon. DANIEL MOOKHEY:** We established that thereabouts on the tenth of—it would have been the Wednesday, the day after, that you probably would have been advised. To be fair, the officials then convene a meeting with the unions on 15 February, which was the following Tuesday, which I understand Mr Merrick attended. Were you at all on that Tuesday prior advised of the outcome of that meeting?

**The Hon. SAM FARRAWAY:** I will have to take that on notice, Mr Mookhey.

**The Hon. DANIEL MOOKHEY:** Sure. Going forward in the time line, on the Thursday the department provides Minister Elliott with advice—

**The Hon. SAM FARRAWAY:** Thursday of which date, Mr Mookhey?

**The Hon. DANIEL MOOKHEY:** Thursday 17 February. The department advises Minister Elliott to seek an application to suspend the industrial action. Were you advised that day that an application was being made to suspend the industrial action as it applied to NSW Trains?

**The Hon. SAM FARRAWAY:** I will take it on notice, Mr Mookhey.

**The Hon. DANIEL MOOKHEY:** That night, your department sends the union a cease and desist notice ahead of a looming application. Were you advised and did you sanction the sending of a cease and desist notice, as it applies to NSW Trains?

**The Hon. SAM FARRAWAY:** Not to my recollection, but I will take it on notice.

**The Hon. DANIEL MOOKHEY:** Thank you. On the Friday, again, another briefing is provided to Minister Elliott about the application. Were you provided any information or update on that Friday prior to the shutdown about the application that was being lodged that day to the Fair Work Commission?

**The Hon. SAM FARRAWAY:** Yes. I was advised on Friday 18 February that an application had been filed and it was listed for 12.00 p.m. on Saturday.

**The Hon. DANIEL MOOKHEY:** Did you give your permission and authorisation for the application to be filed?

**The Hon. SAM FARRAWAY:** I noted—no, I did not. I was briefed and advised as a supporting role to the other Ministers.

**The Hon. DANIEL MOOKHEY:** But you accept that that application affected NSW Trains?

**The Hon. SAM FARRAWAY:** I knew that there would be a hearing that was scheduled for 12.00 p.m. on Saturday.

**The Hon. DANIEL MOOKHEY:** Throughout that week, any time from Monday 14 February to—let's go to the Sunday. Did you have any conversations with Minister Elliott about the dispute?

**The Hon. SAM FARRAWAY:** Directly that week?

**The Hon. DANIEL MOOKHEY:** Yes.

**The Hon. SAM FARRAWAY:** I will have to take that on notice.

**The Hon. DANIEL MOOKHEY:** Do you recall having any conversation?

**The Hon. SAM FARRAWAY:** There were lots of conversations. As the secretary has outlined, with rolling industrial action we are essentially talking about it nearly every day. In terms of specifically whether—

**The Hon. DANIEL MOOKHEY:** But were you talking about it every day with Minister Elliott—

**The Hon. WES FANG:** Chair, I hate to take a point of order on you. However, you have just been guilty of what you sanctioned Mr Graham for, which was talking over the witness while he is providing an answer. I would ask you to—

**The Hon. DANIEL MOOKHEY:** I am a strong believer in do what I say and not what I do, but I take your advice.

**The Hon. WES FANG:** From my experience, Mr Chair, I know that very well. However, I am going to take the point of order.

**The Hon. DANIEL MOOKHEY:** I uphold your point of order, and I ask the Minister to be directly relevant to my question. The direct relevance to the question was: Did you have direct conversations with Minister Elliott in the week leading up to the shutdown about the strategy the Government was pursuing?

**The Hon. SAM FARRAWAY:** I will take it on notice, Mr Mookhey.

**The Hon. DANIEL MOOKHEY:** Do you have Minister Elliott's phone number?

**The Hon. SAM FARRAWAY:** I do.

**The Hon. DANIEL MOOKHEY:** When did you get it?

**The Hon. SAM FARRAWAY:** I have had it for some time. I have had it when I was a backbencher.

**The Hon. DANIEL MOOKHEY:** So you have no issues in being able to contact Minister Elliott, therefore?

**The Hon. SAM FARRAWAY:** No, I have no issues. I spoke to Minister Elliott over the phone late yesterday afternoon.

**The Hon. DANIEL MOOKHEY:** Good to hear.

**The Hon. SAM FARRAWAY:** Minister Elliott and I see each other at every Cabinet meeting. We actually sit next to each other at Cabinet, so there is no issue there.

**The Hon. DANIEL MOOKHEY:** You should not be breaching Cabinet confidentiality.

**The Hon. SAM FARRAWAY:** I did not say anything that is going to bring me into a breach, did I?

**The Hon. DANIEL MOOKHEY:** What I would say is that, given that you have regular contact and, by your own description, seem to have quite a close friendship with him—

**The Hon. SCOTT FARLOW:** He sits next to him. I do not think that is a close friendship.

**The Hon. DANIEL MOOKHEY:** —why did you not just pick up the phone to him at all that week and say, "Hey, what's going on here?", given that you share responsibility with him to manage this particular dispute?

**The Hon. SAM FARRAWAY:** Mr Mookhey, as the secretary and I have outlined, I was updated during the week of the rolling industrial action. I was updated that the hearing was scheduled. On Friday night I was briefed and advised—my office, myself and my chief of staff—that the hearing was scheduled for 12.00 p.m. on Saturday. I was briefed that, following that hearing, there was an understanding and concessions were made. There was an agreement. So I was briefed in the lead-up over the weekend of the Fair Work hearing.



**The Hon. DANIEL MOOKHEY:** To be fair, that is not my question, though, Minister. My question was not whether or not you were being briefed by your officials. My question is: Why were you not picking up the phone to your ministerial counterpart to talk with him about the strategy?

**The Hon. SAM FARRAWAY:** Because I was comfortable during the week. From the briefings that we had from Transport for NSW, I was comfortable where things were heading towards the hearing.

**The Hon. JOHN GRAHAM:** Minister, you were clearly being briefed regularly. I accept that. But can you explain how it is that everyone seemed to know about the risk of this shutdown? Transport officials knew, the Chief Economist was modelling the impact, the department of community services and the Department of Education were preparing statements, the Department and Premier and Cabinet was across this, the union was briefed, ERC was being briefed on this and you were being briefed. Given your close contact with Minister Elliott, how is it that he did not know?

**The Hon. SAM FARRAWAY:** It is a question you will have to ask Minister Elliott.

**The Hon. DANIEL MOOKHEY:** In respect to the Saturday night, the Sunday and the Monday, I presume on the Monday you spoke to Minister Elliott?

**The Hon. SAM FARRAWAY:** On Monday 21 February?

**The Hon. DANIEL MOOKHEY:** Yes.

**The Hon. SAM FARRAWAY:** No.

**The Hon. DANIEL MOOKHEY:** You did not speak to the Minister on the day of the actual shutdown?

**The Hon. SAM FARRAWAY:** I did not speak with Minister Elliott on 21 February.

**The Hon. DANIEL MOOKHEY:** Why not?

**The Hon. SAM FARRAWAY:** Because I was speaking with Mr Sharp, the secretary, and Mr Fuller, the deputy secretary. We were getting briefings throughout the day, so there was not the need to have the direct communication.

**The Hon. DANIEL MOOKHEY:** So the network was closed. Hundreds of thousands of people were disrupted in Sydney and tens of thousands of people who were using the intercity fleet were disrupted. It did not occur to you that perhaps you should pick up the phone and talk to the Minister and say, "Hey, what's our plan to get the network operating again?"

**The Hon. SAM FARRAWAY:** But if you cannot operate the network safely, Mr Mookhey, you cannot operate the network, so what difference would it make?

**The Hon. DANIEL MOOKHEY:** So you are telling me that, in your view, on Monday 21 you were powerless to restore the network?

**The Hon. SAM FARRAWAY:** I do not agree.

**The Hon. DANIEL MOOKHEY:** Minister, that is the impression that you are giving.

**The Hon. SAM FARRAWAY:** No.

**The Hon. SCOTT FARLOW:** You are putting words into his mouth.

**The Hon. SAM FARRAWAY:** You are putting words into my mouth.

**The Hon. DANIEL MOOKHEY:** I am allowing the Minister to respond.

**The Hon. SCOTT FARLOW:** Come on, Daniel.

**The Hon. SAM FARRAWAY:** I do not agree with the premise of your question. Rephrase the question.

**The Hon. DANIEL MOOKHEY:** Minister, you are honestly telling me that on the day the network was shut down, you thought that there was no utility whatsoever and even having a phone call with your other counterpart—

**The Hon. SAM FARRAWAY:** No, I think you are trying to draw conclusions that just are not there. Let us go back to the beginning. As the Minister for Regional Transport and Roads, I have outlined the three areas for that Monday that would have impacted myself as a Minister in a portfolio: one, the movement of freight; two, the regional services; and three, the intercity services. Two of the three factors that I needed to take into consideration for the Monday were running with minimal disruption, and we knew that we would have significant

disruption to the intercity services and, where possible, if a coach replacement was possible, it would be implemented.

**The Hon. DANIEL MOOKHEY:** Minister, on Monday 21—

**The Hon. SAM FARRAWAY:** If you have questions regarding Sydney Trains, you need to direct them to Minister Elliott.

**The Hon. DANIEL MOOKHEY:** Minister, you need to let me ask you the question.

**The Hon. SAM FARRAWAY:** But I think I going to pre-empt what you are going to ask me, so I am trying to give you the answer in advance, Mr Mookhey.

**The Hon. SCOTT FARLOW:** He is trying to help you out.

**The Hon. DANIEL MOOKHEY:** On Monday 21 February, when the network is shut, your lawyers are running to Fair Work and your Government is trying to resolve whether or not any concessions can be made to restore services after you have shut it down. At the same time we have clear evidence that your officials were modelling scenarios to restore basic services. Your evidence is that none of this prompted you to pick up the phone to Minister Elliott and say, "Hey, is our strategy working? Are we actually in a position to make concessions in Fair Work to get the network operating? It is safe to do." I accept the points that you are making prior to the Sunday, but I am asking you about the events which took place after the shutdown. You are telling me that you did not think to call Minister Elliott on that Monday, and I can only presume that he never tried to call you. Is that fair, he never called you on Monday 21 February?

**The Hon. SAM FARRAWAY:** What is the specific question, Mr Mookhey?

**The Hon. DANIEL MOOKHEY:** Did Minister Elliott try to contact you on the Monday?

**The Hon. SAM FARRAWAY:** No.

**The Hon. DANIEL MOOKHEY:** So the two Ministers who are responsible for this dispute are managing a network that is in complete turmoil, and on that particular day you were not in communication. That is the evidence?

**The Hon. SAM FARRAWAY:** Mr Mookhey, a couple of things again: One, if you have questions regarding the industrial relations and the Minister responsible for the Government's industrial relations submission and approach, you need to direct them—

**The Hon. JOHN GRAHAM:** No-one else can answer that?

**The Hon. SAM FARRAWAY:** No.

**The Hon. WES FANG:** Point of order—

**The Hon. SAM FARRAWAY:** I would direct those questions to Minister Tudehope, because there are questions that I cannot answer in that space.

**The Hon. DANIEL MOOKHEY:** Minister, I am not asking—

**The Hon. SAM FARRAWAY:** To your point, Mr Mookhey, you are asking about my responsibility on Monday 21 February. My responsibility, again, is for my ministerial portfolio responsibilities. We will go through them again: one, critical freight across this State—we had a concession, we had freight moving—two, we had the XPT, the Endeavour and the Explorer services and regional services—

**The Hon. DANIEL MOOKHEY:** Minister, you are now—

**The Hon. SCOTT FARLOW:** Point of order: Let the Minister finish.

**The Hon. DANIEL MOOKHEY:** I am sorry, Minister.

**The Hon. SAM FARRAWAY:** This is directly relevant to your question.

**The Hon. DANIEL MOOKHEY:** Minister, you cannot just repeat your evidence.

**The Hon. SAM FARRAWAY:** Yes, but you keep asking the same question in different ways, so you are going to get the same answer, Mr Mookhey.

**The Hon. DANIEL MOOKHEY:** Also you should not be talking over me.

**The Hon. SCOTT FARLOW:** It is a one-way street here, is it?

**The Hon. WES FANG:** Chair, if you want me to take a point of order on that ruling, I am more than happy to.

**The Hon. DANIEL MOOKHEY:** I accept your point that you want to move on, so I will in that respect. Have you been notified of looming industrial action for next week?

**The Hon. SAM FARRAWAY:** Again, in our Regional and Outer Metro updates, I am updated constantly throughout the week on rolling industrial action.

**The Hon. DANIEL MOOKHEY:** Yes, but I am asking you specifically. I am happy for Mr Sharp or Mr Merrick, or whoever wishes to, to answer. Have you received a notice again of industrial action by the Rail, Tram, and Bus Union to commence next week?

**The Hon. SAM FARRAWAY:** I will ask Mr Sharp to update you.

**ROB SHARP:** Yes, we have.

**The Hon. DANIEL MOOKHEY:** When did you receive it?

**ROB SHARP:** This is in regard to Friday's action that will be taken by the RTBU. Both Ministers have been advised of the receipt of that.

**The Hon. DANIEL MOOKHEY:** Are you currently preparing a risk assessment on that basis?

**ROB SHARP:** We are currently reviewing what that means for the operation, correct.

**The Hon. DANIEL MOOKHEY:** When is that risk assessment due to complete?

**ROB SHARP:** It is underway. I do not know when it will be completed.

**The Hon. DANIEL MOOKHEY:** Okay. Minister Elliott was advising this morning that there is a chance that the network would have to close again on Monday. Minister, have you been advised that there is a chance that the network might have to close again on Monday?

**The Hon. SAM FARRAWAY:** No.

**The Hon. DANIEL MOOKHEY:** Okay. Is that because there is no risk assessment yet completed?

**The Hon. SAM FARRAWAY:** I have not been advised. I will pass to the secretary.

**The Hon. DANIEL MOOKHEY:** Secretary, have you provided advice to Minister Farraway that the network might have to close on Monday?

**ROB SHARP:** No, we have not. We are communicating the process at the moment that we are reviewing and going through to make that assessment.

**The Hon. DANIEL MOOKHEY:** Okay. Given I understand that this matter is joint between the two Ministers but Minister Elliott has said this morning that there is a chance, did you provide advice to Minister Elliott on that basis this morning?

**ROB SHARP:** I am not across what Minister Elliott said externally, so I do not know the context of it. But, as I said, we are still working through the importations of that. We do not have a risk assessment that you can do overnight. There are clearly broader rolling industrial actions happening in conjunction with it, so it is not just that in isolation.

**The Hon. JOHN GRAHAM:** Is there a chance that the rail network might be shut down, given what you know now?

**ROB SHARP:** I have not been briefed by the operational team in regard to where they have got to with the risk assessment. In regard to the current items that came through yesterday, I have not landed on what that will mean for the network. In respect to the other actions, no, there was no closure of the network risk but certainly disruption risk.

**The Hon. JOHN GRAHAM:** But if you have not been briefed and you have not briefed Minister Elliott, where is he getting his information from?

**The Hon. DANIEL MOOKHEY:** Or Minister Farraway, to be clear.

**The Hon. JOHN GRAHAM:** Yes.

**ROB SHARP:** I am not privy to the comments or the context that Minister made this morning. This is the first time that I have heard of those comments, so I cannot comment on behalf of Minister Elliott on that.

**The Hon. DANIEL MOOKHEY:** Fair enough. I therefore presume, Minister Faraway, that your views have not been sought on filing another application in the Fair Work Commission to suspend that action?

**The Hon. SAM FARRAWAY:** I might pass to the secretary to answer that one.

**The Hon. DANIEL MOOKHEY:** I will hear from the secretary in 30 seconds, but the question was directed to you. Has your view been sought, as Minister, about whether or not another application should be filed with Fair Work to suspend the action that has been notified for next week?

**The Hon. SAM FARRAWAY:** I have been briefed on a range of options.

**The Hon. DANIEL MOOKHEY:** And is that one of them?

**The Hon. SAM FARRAWAY:** I have been briefed on a range of options.

**The Hon. DANIEL MOOKHEY:** Mr Sharp, have you provided advice to this Minister or to any other Minister about potentially filing another application with Fair Work to terminate the action?

**ROB SHARP:** We have sought as an option to review that.

**The Hon. DANIEL MOOKHEY:** Okay, fair enough. We might pick up that point. I will go to my colleague.

**The Hon. JOHN GRAHAM:** Minister, do you have concerns? Last time the regional rail network was shut down, people were massively disrupted. It took five hours to come back, if you could get a car. We have had reports of people paying hundreds of dollars to get a shuttle to get flights as a result of the rapid rail shutdown. Are you concerned that this could happen again as early as Monday?

**The Hon. SAM FARRAWAY:** When you refer to the regional rail network, are you referring to the intercity fleet or are you referring to the regional rail?

**The Hon. JOHN GRAHAM:** I am referring to the intercity fleet, which you are in charge of, where thousands of commuters were disrupted.

**The Hon. SAM FARRAWAY:** I am responsible for both the regional rail fleet, which, I might note, operated on that day. It was the intercity fleet that was disrupted significantly that day. I feel for commuters. This is a situation where they are essentially sometimes being held to ransom by the RTBU.

**The Hon. JOHN GRAHAM:** Is there the risk that this might happen again, though?

**The Hon. SCOTT FARLOW:** Let him answer.

**The Hon. SAM FARRAWAY:** I feel frustrated—like the commuters did on that day, back on Monday 21 February—that the system comes to a grinding halt because Transport for NSW is forced into a situation where it cannot operate a rail network safely.

**The Hon. DANIEL MOOKHEY:** Minister, is it the case that since the events of 21 February, your Transport officials are yet to meet with the unions?

**The Hon. SAM FARRAWAY:** I would have to take that on notice because I do not know.

**The Hon. DANIEL MOOKHEY:** Is it the case that the first bargaining meeting since the twenty-first—

**The Hon. SAM FARRAWAY:** You will have to—

**The Hon. DANIEL MOOKHEY:** Let me finish the question. You took the earlier one on notice, so I am taking you to the next question now. Is it the case that the first bargaining meeting to be held by your officials with the unions since the shutdown on the twenty-first is scheduled for tomorrow?

**The Hon. SAM FARRAWAY:** You will have to direct that question to Minister Tudehope, who was leading the industrial relations response on behalf of the New South Wales Government.

**The Hon. DANIEL MOOKHEY:** I accept that that is your answer, but this is a legitimate question for you, given that it is your responsibility as the Minister. Are you planning to go to that meeting tomorrow?

**The Hon. SAM FARRAWAY:** I am not responsible for the New South Wales Government's industrial relations policy in terms of the Fair Work Commission and in terms of the response.

**The Hon. DANIEL MOOKHEY:** Have you read the—

**The Hon. SAM FARRAWAY:** No, Mr Mookhey, let me finish the answer. The Minister for industrial relations is responsible for the New South Wales Government's submission and approach to this, so you will have to direct the question in terms of that to Minister Tudehope.

**The Hon. JOHN GRAHAM:** Given that answer, can we infer that the operational Ministers—that is, you and Minister Elliott—are both excluded from that response? It is not just you who is out of that?

**The Hon. SAM FARRAWAY:** As the Minister for Regional Transport and Roads I am briefed on the operations of the regional, intercity and freight networks. In terms of Fair Work Commission hearings, and in terms of which Minister is the lead Minister in the New South Wales Government's approach to the rolling industrial action, you will need to speak with Minister Tudehope on that. In terms of operations for the Minister for Transport, you will have to direct those questions to Mr Elliott.

**The Hon. DANIEL MOOKHEY:** Minister, I have read the Premier's wages policy and I am assuming you have, too. This is a policy which is still in effect. It is clear that portfolio Ministers have responsibility for these issues, for bargaining. There is no ambiguity about that, which is why you are the first Minister to try to push this position that you have nothing to do with it. Secondly, the change that the Premier made on 3 March puts joint responsibility with Minister Tudehope and the operational Ministers, of which you are one. To the extent to which you say you have no responsibility, is that because you are ignorant of the policy you are meant to be following or is it the case that you are misleading us about the precise nature of your responsibilities here?

**The Hon. SAM FARRAWAY:** I totally disagree with the premise of your question.

**The Hon. DANIEL MOOKHEY:** Have you read the wages policy that you are meant to be applying?

**The Hon. DANIEL MOOKHEY:** I have been briefed on the wages policy.

**The Hon. DANIEL MOOKHEY:** There is no doubt that you have responsibility here—and I accept it is now shared as a result of the Premier's decision on 3 March. I am the first to accept that. But my question remains: Are you going to the meeting tomorrow or not?

**The Hon. SAM FARRAWAY:** I am not attending the meeting tomorrow.

**The Hon. DANIEL MOOKHEY:** I remembered that I am the Chair and have to give the call. Ms Faehrmann?

**Ms CATE FAEHRMANN:** Thanks, Chair. Minister, just returning to my previous line of questioning, one of the things that I have heard from locals is, yes, Lismore roads are doing it tough but the scale of the problem is not limited to Lismore. You talked about the hinterland before. It is not just potholes and grading works. I am sure you understand that entire roads are gone. I have heard of residents who are accessing their homes by climbing cliffs of rock, in some instances. The scale is absolutely enormous. The scale is catastrophic. Residents are living without access to food and medical care. I am just trying to get a handle for the community, which really wants to know when help is coming. When is help coming to restore those types of things in the hinterland? What is your Government doing to make that happen in the next week or two?

**The Hon. SAM FARRAWAY:** Firstly I thank you for the question, Ms Faehrmann. In the event that people are still isolated, like I touched on in my previous answer, it does run through the emergency services. The ADF is assisting in this space as well, and we are assisting the ADF in terms of road infrastructure where they need assistance from Transport for NSW. Bear in mind, Ms Faehrmann, that these are local roads. These are roads that council are responsible for, but we are playing an active role in supporting council and supporting Resilience, the SEOC and the emergency committees, but also the ADF on the ground. Where they need assistance from Transport for NSW to access roads for equipment they are coming to us. I am more than happy if the Deputy Secretary of Regional and Outer Metropolitan may be able to touch on more specifics for you about what we are doing.

**Ms CATE FAEHRMANN:** I just wanted to get a sense; I can come back in the afternoon to ask a little bit. Yes, they are council roads but they have just been obliterated by this catastrophic weather event. The council is at this stage obviously having to deal with so many things. As I understand from a council update yesterday, they are prioritising clearing the obscene amount, the terrible amount of debris, household waste, buildings and everything that has been destroyed. They are focusing on clearing that at the moment and it is the most massive task. You have said emergency services; I understand that there is not enough there either. At some point, as a result of what is going to be increasing natural disasters, your Government and your budget needs to come into play here to assist. It does not sound like there are additional resources that you are throwing at it. You are still relying on other agencies to deal with this?



**The Hon. SAM FARRAWAY:** Again, it is hard to determine what the total scope of damage is until we have the full assessment done on the ground. As you have highlighted, Ms Faehrmann, there are still communities and roads that are cut off. Until we can safely get the geotechnical advice and the engineers, and until councils can safely send their crews out to inspect this—as every day goes on they are inspecting more roads. I have a good understanding to date from my trip last week, and working with the mayors, the general managers and the councils more broadly, of some of the initial scope of damage. I am back on the North Coast at the end of this week for a few days again assessing the damage and seeing what additional damage has now been scoped and assessed since I was there a week ago. As your colleague on this Committee Mr Field said earlier, it will require a significant amount of money to repair and restore the road infrastructure on the North Coast and in other parts of the State as well. But in order to understand what the scope and damage is, you need to assess it properly on the ground. That is exactly what councils have asked for help with from Transport and that is what we are doing.

**Ms CATE FAEHRMANN:** You said that council has asked for help from Transport. Yes, things need assessing, Minister, but the community desperately needs action too. Can you not do both? Of course assessing is being undertaken, but where are the teams on the ground from your department that you are funding to get out there and start actually moving these rocks and repairing the roads and bridges? That stuff can start happening as well. By the sounds of what you are talking about, communities will be cut off for weeks yet. Is that right?

**The Hon. SAM FARRAWAY:** It is important to note again that in the event communities or people are cut off there is a process through emergency services. There are structures in place for them to be alerted for emergency services to be across that. Where they require assistance and council cannot support it, Transport is there to call upon to assist them. We have already redeployed resources from right across the State to the North Coast. We have redeployed crews. We need to assist and support councils, which I think we are doing in a very collaborative way. We have been on the ground very early and Transport has been on the front foot here to assist these communities. We need to do this whilst at the same time restoring our State roads and our highways. We have the resources on the ground.

Ms Faehrmann, the reason we have had the cash advance to councils is to allow them to draw down on that cash straightaway to do the minor emergency repairs they can manage whilst we continue to assess and scope what the damage looks like more broadly across their shires and LGAs. Once we have a good understanding of that—which is still going to take weeks. That is not going to happen overnight. As every day goes on we are getting a better understanding of the road network and the damage, whether it is a local, regional or State road. As I said earlier in my comments and my answers, we are not going to be able to fix this overnight. This is going to have to be a multi-year plan, working collaboratively with the three levels of government, to restore the broader road network for the North Coast and the Northern Rivers.

**Ms CATE FAEHRMANN:** You absolutely have no disagreement with me on that. That is good to hear. You said resources have been deployed by Transport for NSW in recent days, perhaps. That is also good to hear. Can you be specific about exactly how many additional resources have been sent to the Northern Rivers in terms of people and skilled labourers to get cracking?

**The Hon. SAM FARRAWAY:** Firstly, we have identified key routes, such as the works we did to get the Pacific Highway and M1 opened with more resources there and the stuff we did in Yamba. We are partnering with councils. We have identified and prioritised the key routes, such as the Bruxner Highway. I am going to pass over to Mr Fuller, who might be able to give you a further update on what specifically has developed since I was last there a week ago.

**MATT FULLER:** Thank you, Minister. Firstly I would like to acknowledge the community in the north and our team. Many of them have actually been directly impacted. Ms Faehrmann, the issues that you speak of are very close to the heart of our people in Transport because a number of them are actually experiencing them firsthand and we are supporting them in dealing with that right across our network.

As the Minister has outlined, we have been actively involved in a range of tasks and have been working very closely with Commissioner Fitzsimmons at Resilience NSW to respond to the State effort, specifically in the north. As the Minister has pointed out, we have a number of teams up there on the ground. I would have to take on notice the exact number of bodies. It is substantial; it is significant. If I give you some specific examples, we have shut down a lot of the work that we were undertaking on the New England Highway, as an example, so we can redeploy resources over to the north of the State.

As the Minister pointed out, our first priority was to open and restore those critical networks, particularly for the critical supply chain. We were very conscious of the access of goods and services—the Minister talked about the grocery example into Yamba—fuel, and agriculture. There are a number of key areas we have been assisting with to ensure that that supply chain had access. Even before roads were opened, we were providing them access in a controlled way, working with emergency services, working with the local emergency operations

centre up there in the north of the State to actually provide that access and escort through significant floodwaters when it was safe to do so.

As you have pointed out, there is considerable damage in the north, the likes of which we have not seen on our network or across the local road network. Commissioner Fitzsimmons has been very clear to point out that the coordination across government is very critical. I have to say, I have been incredibly proud of the team as to how they have approached this and deployed resources. Even our people who have been directly impacted have been out on the job assisting.

In relation to our support for local government specifically, there are a number of ways we are doing that. Obviously we are taking the advice from local government and also the local emergency operations centre as to how best we can assist in particular areas. As an example, in some of those hinterland communities that you are talking about, the decision was made that the ADF had the resources, the equipment to be on the ground and to restore some of those road networks. We have provided geotechnical engineers, bridge engineers, project managers to assist in the coordination of that and to assist in that work actually occurring.

We have worked with the councils, as the Minister outlined, on funding. That was an important element to ensure that their cash flows were secure and the liquidity of those councils were kept intact, particularly for the community of Lismore. We have commenced a task force. A specific stream of that task force is support to local government in a number of ways, both boots on the ground in terms of our crews moving in and helping them with local roads where they have requested that and also providing them with that technical expertise they may not have or may need further supplemented. I could talk about this for—

**The Hon. DANIEL MOOKHEY:** I think we will pick it up again later because we need to move to the next crossbencher. Mr Field.

**Mr JUSTIN FIELD:** Minister, I wanted to come back to where we finished off last time around community consultation, or lack of, when it comes to the Princes Highway upgrades in Shoalhaven. You indicated at the end that you have spoken to both sides of this debate, some in Milton-Ulladulla who want the bypass, some in Burrill Lake who you say do not. I think you have really missed the point here. In fact, the community group that resigned from the co-design committee put out a statement making it clear that they want the bypass. What really matters is how it is done. By creating this sense of division—some for, some against—are you not actually demonstrating that you have not listened to the community and are not doing the consultation? Ultimately it is about how it is done, not whether it is done.

**The Hon. SAM FARRAWAY:** Firstly, I said earlier that I received correspondence from both people that are for and against the bypasses on the Princes Highway—to clarify that. If you want a further update on what consultation has been done on the ground, I am more than happy to get Mr Hayes to give you an update on that.

**Mr JUSTIN FIELD:** I will get there, but I am not after an update from you. I am after an acknowledgement and a commitment that you will get the consultation right. I think you need to reopen some of these questions around design so the community actually feel like they can have a say and we are not locked into old historical decisions that maybe have not been based on current levels of development in these areas, an increase that we have seen with COVID movements to the South Coast and the bushfires as well, all of which should change some of our thinking about how these major projects are designed and delivered.

**The Hon. SAM FARRAWAY:** Where appropriate on that project, I have done exactly what you are asking for, and I would probably point you to Moruya where in the middle of COVID the consultation was administered by Transport for NSW. It was not done in the normal fashion because of restrictions and because of the way society was functioning at that time throughout a COVID outbreak. What I have said to that community, as an example, is that I am happy to re-look at the consultation, which we have reopened for the Moruya bypass as part of that broader project. There are three routes, and I am happy to get feedback on all three of them.

**Mr JUSTIN FIELD:** Are you happy to do the same thing for the JB road to Sussex upgrade and for the Milton-Ulladulla bypass, both of which you could say the same thing in terms of when the consultations were conducted?

**The Hon. SAM FARRAWAY:** Specifically, I am happy to take it on notice and I am happy to have another look at it. I am not going to make direct commitments at budget estimates here today but, Mr Field, I am happy to review the correspondence I am receiving. I am happy to engage with our team in Transport in the south that look after this project. If more consultation is warranted, I am happy to have a look at it.

**Mr JUSTIN FIELD:** If the circumstances were the same, though, you would be happy to offer the same outcomes for those communities. The preferred corridor for JB road to Sussex was determined in a values

management committee meeting or workshop that was fully stacked with Transport for NSW and other government officials. There was not a single community rep on it from what I could see.

**The Hon. SAM FARRAWAY:** I was not in the meeting and I was not the Minister at the time that consultation was done. I am happy to take it on notice and talk to you post-estimates. I appreciate you are a resident from the South Coast; it is where you call home. I am happy to take that on board and happy to take it on notice and talk to the team at Transport about the consultation on that part of the Princes Highway today.

**Mr JUSTIN FIELD:** On the question of transparency, I indicated before I had to go to quite extraordinary lengths to get some basic information about how these decisions were made through detailed GIPAA. It went backwards and forwards dozens of times with the agency. What is your expectation? Send a signal to the agency now. What is your expectation for what transparency should occur when it comes to the planning for these projects?

**The Hon. SAM FARRAWAY:** I will pass over to Mr Sharp to perhaps outline what the broad process is internally within Transport for NSW on this front. I think it is probably best for context that we get an update from Mr Sharp.

**ROB SHARP:** Mr Field, we do take consultation seriously. We have a large number of people who are involved in projects and taking those on board. As the Minister said, the consultation down south did complete and we are looking at setting up further consultation. In respect to information, there are numerous pieces of information that we have. We tend to table information through the consultation process so that everyone is getting the same information at that point in time because what we find is if you put out lots of information in bits and pieces, it creates more confusion. We like to have the consultation processes managed with information presented, and those committees can ask for that information.

**Mr JUSTIN FIELD:** With respect, Mr Sharp, it is true, right, that the Burrill Lake co-design committee members were subject to non-disclosure agreements. They were not able to share the information that was coming forward to their committee about the various options at the Burrill Lake end of that project with the committee they were supposed to be representing.

**ROB SHARP:** In respect to that particular committee, I would need to refer Mr Hayes.

**Mr JUSTIN FIELD:** I am telling you that is what happened.

**ROB SHARP:** But in terms of feedback on that process—

**Mr JUSTIN FIELD:** Why was the preliminary environmental investigation for JB road to Sussex and the value-management workshop, which was the process that had all the information in it about why a particular option was included or excluded, not on the website for the project? Why is that secret?

**ROB SHARP:** As I said, I would need to pass that to the relevant executive who was involved directly. You are asking a very specific question—

**Mr JUSTIN FIELD:** Back to you then, Minister: What is your expectation for transparency around these projects?

**The Hon. WES FANG:** Point of order: I note Mr Field's passion in this area, however what I do note is that the Minister and the public servants are trying to provide a very detailed response and Mr Field continually talks over them after a few words. I ask, for the benefit of Hansard particularly, that they be allowed to complete their answer before Mr Field interjects or tries to ask a supplementary question.

**The Hon. DANIEL MOOKHEY:** I encourage Mr Field to show common courtesy. I also remind the Committee that Mr Field can direct the questions to where he needs to direct the questions in his time.

**The Hon. SAM FARRAWAY:** Could I say, Mr Field, you are asking questions that are fully legitimate. Mr Hayes, who oversees the community consultation, is here at estimates. He was called to estimates; ask him the question. He will be able to give you an update on what was being done. He will know more of the specifics of that.

**The Hon. DANIEL MOOKHEY:** Could I just remind the Minister at this point that it is common practice that officials can explore detail in the afternoon but, for the Minister especially, if a member is looking for a ministerial response, if we can at least try, that would be helpful. I will hand it over to you again, Mr Field.

**Mr JUSTIN FIELD:** I will be here this afternoon and I will ask those questions. There are a lot of people in the community who are very interested in the answer. I am asking you as a new Minister—you have come in, you have had representations and have already acknowledged a failing in the need to go back and have a look at Moruya—can you set some expectations here for your officials about how consultation and transparency



should be delivered on these projects? I have given you three examples of where really important information has not been disclosed until someone—myself in some instances and other members of the community—has had to go through a substantial amount of hoop jumping to get basic information about the planning and decision-making about these projects out into the public space. Is it your expectation that the department does better than that?

**The Hon. SAM FARRAWAY:** If you have specific examples around this, I am happy to take them on notice and I am happy to get a briefing and have a look at it post estimates.

**Mr JUSTIN FIELD:** I know that Transport for NSW has done a lot on the major highways, including the Pacific Highway to the north and now the Princes on the south. But we are hitting that area of the Princes Highway where we have a lot of natural environment alongside the road developments. It starts in the Shoalhaven, really, where we see a lot of interaction with State forest, national parks and other private forested land. What is your plan for the strategic biodiversity management of these developments in terms of offsetting and minimising impacts and wildlife corridors? What I am hearing is that we do what is required under the law, we use the offsetting program as we can. But I am looking for a commitment that there is going to be a strategic plan for making sure we get the gains from any offsets that are done down there and we are minimising as much as possible the impacts on the natural environment. How is that being managed in a strategic way for the upgrades to the Princes Highway in the Shoalhaven?

**The Hon. SAM FARRAWAY:** Specifically in terms of those offsets, I might pass to Mr Dunphy to explain where we are to date on the Princes Highway.

**PETER DUNPHY:** Just in terms of biodiversity offsets, Transport for NSW has had extensive engagement with the Biodiversity Offsets Scheme. We have purchased a significant number of offsets in the private market and also through private landholders: over \$77.5 million worth of purchases through the private market and also 2,022 hectares through private landholders. In terms of the particular projects, part of the process for doing that is obviously we work under the scheme in conjunction with DPE. The early stages of the process is really doing the assessments and we will get in an appropriate assessor through the Biodiversity Offsets Scheme to do that assessment. Those processes, from what I understand, for the new work are still underway and there is still work to be done.

**Mr JUSTIN FIELD:** Mr Dunphy, I will come back to that in my next round because I have quite a few questions on this issue. I am happy to pass to the Chair at this point.

**The Hon. DANIEL MOOKHEY:** We are at our appointed break time. We will resume at 11.18 a.m.

**(Short adjournment.)**

**The Hon. DANIEL MOOKHEY:** We will resume with questions from the Opposition.

**The Hon. JOHN GRAHAM:** Minister, I am going to give you one more chance to clean this up before it is taken up in another place. On the issue about when you were notified, you were texted, your chief of staff was texted, your chief of staff was briefed on the Sunday night. You have told the Parliament that you first found out on Monday morning. Why shouldn't we conclude that you have misled the Parliament?

**The Hon. SAM FARRAWAY:** I do not agree with the premise of your question. Mr Graham, I have made it clear; I have just tabled the text message which I received at 10.43 p.m. I was not awake at 10.43 p.m. so I did not read the text message at 10.43 p.m. The first I learned of the rail shutdown was when I turned on the news on Monday morning and saw it for myself and then checked my phone.

**The Hon. JOHN GRAHAM:** Minister Elliott is in an argument in public today about how many fare-free Fridays will happen. You have briefed the Parliament about fare discounts to say you have been briefed by your agency and you had some views about whether it would be extended to regional communities. That has never happened; no-one has been given a discount after the rail shutdown. What is going on? When will there be some discount offered?

**The Hon. SAM FARRAWAY:** What specifically is your question, Mr Graham?

**The Hon. JOHN GRAHAM:** When will customers, who have been massively disadvantaged, get some discount?

**The Hon. SCOTT FARLOW:** When the union stops striking.

**The Hon. SAM FARRAWAY:** Minister Elliott has made it clear that if the RTBU wants to play ball and wants to sit down and negotiate with us and come to an agreement, commuters will get fare-free Fridays for a year. Minister Elliott said that yesterday.

**The Hon. JOHN GRAHAM:** So that is the only hope that commuters have of getting any discount off their rail fares?

**The Hon. SAM FARRAWAY:** I think commuters would be quite happy to have services restored, no disruption and fare-free Fridays.

**The Hon. DANIEL MOOKHEY:** Minister, just to be clear here, in terms of the text messages that you tabled just then—which I appreciate, thank you—you are saying this is the first notification that you were given around the significant disruption?

**The Hon. SAM FARRAWAY:** This is the text message that myself and my chief of staff received at 10.43 p.m.

**The Hon. DANIEL MOOKHEY:** I want to take you again to what may or may not occur next week. I understood you correctly when you said that you have not been advised about any looming shutdown as a result of the action that was notified this week in respect of industrial action which could take place next week?

**The Hon. SAM FARRAWAY:** I might refer you to Mr Sharp because I think there might be a slight misunderstanding in your questioning about the disruption next week. I would, if possible, like Mr Sharp as the secretary to clarify that.

**The Hon. DANIEL MOOKHEY:** Do you want me to clarify the question?

**ROB SHARP:** Mr Mookhey, to your question, there are two lots of industrial action that are occurring that we are commenting on publicly. The first one was the press release we put out yesterday, which is in regards to the earlier actions. We had a risk assessment on that. That does show over time that there will be a degradation of the network and disruptions. It could even lead to some parts of the network closing, which is what we believe Minister Elliott may have been referring to this morning.

**The Hon. DANIEL MOOKHEY:** Sorry, just to be clear, are you referring to the Electrical Trades Union actions or are you referring to the RTBU?

**ROB SHARP:** There are a number of actions that are on foot, separate to the ones that we were notified of yesterday. The ones that we were notified of yesterday, which was your question to me earlier, we are still working through that and the risk assessment. We have not actually provided advice to any of the Ministers in regard to that yet because we are still working through it. So there were two different industrial actions that we were referring to.

**The Hon. DANIEL MOOKHEY:** Just to be very clear here, I appreciate the context but I do not necessarily think that confusion arose because the report that I am referring to here is the comments that were reportedly made by Minister Elliott in respect of the RTBU actions for next week that are in today's press. It says here that he is warning that "such actions could result in a network shutdown". He warned the "new industrial measures outlined by the RTBU could result in even more rail shutdowns".

**ROB SHARP:** There are two different industrial actions that have been tabled by the RTBU.

**The Hon. DANIEL MOOKHEY:** Indeed.

**ROB SHARP:** The ones from yesterday are not what he is referring to, I do not believe, because we are still working through those.

**The Hon. DANIEL MOOKHEY:** But have you provided advice to Minister Elliott or Minister Faraway in respect of either of the two actions?

**ROB SHARP:** Yes, the first ones.

**The Hon. DANIEL MOOKHEY:** Minister Faraway, as a result of that, are you worried that the network is going to close next week?

**The Hon. SAM FARRAWAY:** Since becoming Minister for Regional Transport and Roads, there has been rolling industrial action whilst I have been the Minister. There is the possibility of anything. I am not familiar with the comments Minister Elliott has made in today's press, so I am not going to refer to them because I am not across them and I have not read it. But the reality is, Mr Mookhey, that whilst the rolling industrial action continues anything is a possibility.

**The Hon. DANIEL MOOKHEY:** Then, in that sense, why are you not going to the meeting tomorrow and which another Minister is, and that apparently is Minister Tudehope? We are in this situation where Minister Tudehope is going but the two operational Ministers are not.

**The Hon. SAM FARRAWAY:** This is an industrial relations matter; this is rolling industrial relations action. The Minister for Industrial Relations is the one who attends the meetings, Mr Mookhey.

**The Hon. JOHN GRAHAM:** Mr Sharp, I might ask you when we return with the officials briefing at 2.00 p.m.—I do not want to cut you off now—could you give us at the start of that briefing a more detailed understanding of what the risk is here of commuters being impacted? I ask if we can take a little bit more time up-front so that we understand the risks that you will be briefing Minister Farraway on but also Minister Elliott.

**ROB SHARP:** Noted.

**The Hon. JOHN GRAHAM:** Minister, I am going to turn to another issue. Some of your colleagues in Victoria and Queensland have called for changes to be made to the fuel excise, given the price of petrol at the moment. What is your view on the current fuel excise?

**The Hon. SAM FARRAWAY:** Obviously the current fuel excise is not a policy area that I have any say over or control over in the New South Wales Government. I think the Commonwealth is fully aware of the challenges and pain that commuters would be facing right now, and it is really in the sphere of the Commonwealth to deal with the excise one way or the other.

**The Hon. JOHN GRAHAM:** So no view from your end as Minister that you want to put on the record?

**The Hon. SAM FARRAWAY:** My view is that I appreciate the external factors that are happening globally—and we have seen that reflect in oil price—has an impact on commuters. There is no doubt about that. But what levers, what policy change and any future change to the excise will be a question you will need to ask the Commonwealth.

**The Hon. JOHN GRAHAM:** I turn to the flood assistance that you have offered North Coast councils and follow up on the questioning that you received from other Committee members. Is one of the councils that this type of assistance could be extended to—and I welcome the assistance you have provided—to the Blue Mountains council, given that that community, including the communities of Lithgow and Bathurst, have been virtually cut off when it comes to road and rail services over the weekend, with some of the restrictions that have been in place as a result of the damage?

**The Hon. SAM FARRAWAY:** That funding is tied to category B funding from the Commonwealth through the natural disaster declaration. If the Blue Mountains LGA has been declared by the Commonwealth as one of the LGAs under that declaration, I would be happy to have the conversation or happy for Transport to work with Blue Mountains City Council on any advancing of those funds through category B funding through the Commonwealth. That could be possible.

**The Hon. JOHN GRAHAM:** But you would agree there is some quite severe damage to those communities in the Blue Mountains—Lithgow, Bathurst?

**The Hon. SAM FARRAWAY:** I live in Bathurst; I will declare that.

**The Hon. JOHN GRAHAM:** Yes.

**The Hon. SAM FARRAWAY:** What we saw, as Mr Field was touching on earlier, is that once that weather event had moved south and hit Greater Sydney—and the Blue Mountains is an extension of Greater Sydney—it has done significant damage to the road and rail network. What compounded some of the challenges for me as the Minister and for Transport for NSW was the flooding in the Hawkesbury, which then obviously cut infrastructure in Windsor and the Richmond Bridge was closed, which obviously compounded the issue on the Bells Line of Road as well. Whilst I am on that topic, it is worth noting that Transport has worked—

**The Hon. JOHN GRAHAM:** Well, whilst you are on that topic, I am going to move to another topic. Minister, you are aware of the fact that our regional roads are already in a tough spot. Your department's own documents show that more than 77 per cent of road pavements in regional and outer metropolitan New South Wales are older than their design life; 2,000 kilometres of State roads are rated as poor or very poor, and that has safety implications. We already have a significant shortfall, do we not, when it comes to maintaining roads in regional New South Wales. Do you acknowledge that?

**The Hon. SAM FARRAWAY:** I acknowledge that this Government since 2019 has implemented some hugely successful programs, like Fixing Local Roads, that have delivered hundreds of millions of dollars to local councils across New South Wales to assist them in the sealing, the repair, the upgrade of local roads—roads that local government—

**The Hon. JOHN GRAHAM:** I do not mind you spruiking the Government's programs, but do you acknowledge there is an issue here?

**The Hon. WES FANG:** Point of order: The Minister was addressing the question of the Hon. John Graham. The Hon. John Graham has taken the Minister to a new area for examination, and the Minister, as he did last time, was providing a very detailed and comprehensive answer. Now when he is doing that, Mr Graham needs to allow the Minister to complete his answer before talking over the top of him, especially when the Minister has so much information to impart.

**The Hon. JOHN GRAHAM:** To the point of order: I am well aware of the rules. The member is wasting time, and I am indicating I will be extending the session by resolution if he keeps it up.

**The Hon. DANIEL MOOKHEY:** I think that points of order can be made succinctly—that is the first point. To the second point in respect of the actual point of order, members are entitled to direct the Ministers to the question, directly to the question, and of course Ministers are entitled to answer as they see fit. That was what was occurring. We will continue.

**The Hon. WES FANG:** Chair, on the point of order, to address the point from Mr Graham—

**The Hon. DANIEL MOOKHEY:** I have ruled, and so we will continue.

**The Hon. JOHN GRAHAM:** Minister, I want to turn to that flood damage. Firstly, I want to acknowledge that the feedback I have had from some of these North Coast councils has been very positive about your visit and the assistance. Can you give us some sense, though, of what is your first-pass assessment of just how much damage has been done so far to the State's roads as a result of the past two weeks?

**The Hon. SAM FARRAWAY:** Well, it is significant. There is no other way to describe it. It is significant, and other members of this Committee have touched on it in their questioning today as well. It is significant. I wish to reiterate the point that in order for us to deal with this together as a State government in working with the Commonwealth but supporting local government, we have got to do the work—

**The Hon. JOHN GRAHAM:** How significant, though, Minister? Have you been given a dollar figure?

**The Hon. SAM FARRAWAY:** We have to do the work at the front end. We have to be able to assess and scope how much damage there is. You are asking—

**The Hon. JOHN GRAHAM:** Have we got that assessment or is that not something that is in front of you?

**The Hon. WES FANG:** Point of order—

**The Hon. JOHN GRAHAM:** Wes, you have to stop wasting time.

**The Hon. WES FANG:** Mr Graham can object all he wants, but he is continually talking over the Minister. It is clear that that is outside the rules of the hearing, and it is also not observing the procedural fairness resolution.

**The Hon. DANIEL MOOKHEY:** Sure. I just remind everybody: question followed by answer.

**The Hon. JOHN GRAHAM:** Minister, have you been given a concrete dollar amount or is that some way away? Give us some sense: Do we know how much damage has been done?

**The Hon. SAM FARRAWAY:** Do we definitively know how much damage has been done to the road network?

**The Hon. JOHN GRAHAM:** Have you got a first-pass assessment? How much might this cost?

**The Hon. SAM FARRAWAY:** No. I, like Transport for NSW, do not have a definitive amount of what it will cost to restore and repair the road network on the North Coast. As I have said in my previous answers, that is the work that we are doing now, not only internally with Transport on our State roads and our State highways but in supporting councils with the technical advice and resources on the ground.

**The Hon. JOHN GRAHAM:** I am not asking for a definitive amount, but there have been some figures out there—I think Lismore might have said maybe \$150 million worth of damage; Ballina, \$100 million; the Blue Mountains assessment is maybe \$100 million of damage. These are not definitive amounts. These are very indicative; it is early on. Do we have any sense of how much extra damage has been done? What is the cost of what has happened over the last couple of weeks? Can you give us any sense?

**The Hon. SAM FARRAWAY:** I give you the sense that it is significant. It is significant. I would say that we need to, as Transport on our own State roads and network and our State highways, do the work internally to work on what damage there is there, such as Bruxner Highway, Waterfall Way—well, Waterfall Way is actually not a State road.

**The Hon. JOHN GRAHAM:** But as of today you cannot tell us?

**The Hon. SAM FARRAWAY:** No, because that work is being done as we speak.

**The Hon. JOHN GRAHAM:** Okay.

**The Hon. SAM FARRAWAY:** Again, I would say, Mr Graham, that there are still pieces of road infrastructure owned and administered by local government that are still cut off. They are still cut off and we cannot get crews in there to assess the damage. What the community wants, Mr Graham, is a proper plan as to how all three levels of government work together to restore the road infrastructure for the North Coast and the northern rivers. That can only be done when we deliver that community a multi-year plan, and we can only deliver a multi-year plan once we have done the work on the ground to assess how much damage there is.

**The Hon. DANIEL MOOKHEY:** Minister, I just wanted to follow a bit of this up. Is the cost of road repair recoverable from the Treasury Managed Fund?

**The Hon. SAM FARRAWAY:** I will pass to the secretary about obviously some of—well, it gets complicated with the disaster declaration funding as well.

**ROB SHARP:** Yes, it does. I would have to take on notice specifically, Mr Mookhey, on that. I cannot tell you at the moment.

**The Hon. DANIEL MOOKHEY:** I appreciate that if you have taken it on notice. Minister, this is the fund that provides catastrophic insurance for New South Wales assets. Have you asked your agencies to make a claim or even notify of a potential claim in respect to the TMF?

**The Hon. SAM FARRAWAY:** I have been advised that Transport for NSW is reviewing what insurance claims—I can confirm though that Transport for NSW is reviewing through the Treasury fund as to what is claimable and not.

**The Hon. DANIEL MOOKHEY:** Therefore, if you have, you would have some idea as to at least the quantum of damage—

**The Hon. SAM FARRAWAY:** No, they are in the process of doing that—

**The Hon. DANIEL MOOKHEY:** I appreciate how the notification and assessment processes work for the TMF, but that does require your agency to provide some indication about the damage, which also allows them to conclude about the questions that my colleague was asking you about the cost. In notifying the TMF of claims, have you been advised what the potential scope and size of the damage would be?

**The Hon. SAM FARRAWAY:** I have been advised that Transport for NSW was doing the work required internally with the Treasury Managed Fund on what claims were being lodged, and I will hand to Mr Fuller—

**The Hon. DANIEL MOOKHEY:** No, we can pick it up this afternoon.

**The Hon. JOHN GRAHAM:** Minister, really I am asking this: There are just three councils in the State saying they might have sustained \$350 million of damage in the last two weeks and this will be over a billion dollars worth of damage. There is already a shortfall—we know that—with regional roads. Do you want to see some of the billions of dollars flowing into Sydney toll roads diverted into fixing these local roads in the bush?

**The Hon. SAM FARRAWAY:** The one point I would make, Mr Graham, is that I am not prepared at estimates to be throwing numbers out there that I have not been able to fact check. I have follow-up meetings with these local councils to discuss the very nature of their road infrastructure damage post my last visit. I am sure at that point both Transport and the local council will have a better idea of the extent of the damage. The one point I would make is that in the last North Coast floods there was a quarter of a billion dollars worth—\$250 million worth—of damage to the road network. It is evident to anyone who was seen the footage on television, from my visit and from the briefings that I have had from local council that the damage will exceed that.

**The Hon. JOHN GRAHAM:** Regional roads and transport are getting only a quarter of the money that this Government is spending on transport infrastructure. Would you like to see some of that money diverted into the regions, given that small amount, that small proportion, to fix the damage that has now been done?

**The Hon. SAM FARRAWAY:** The regions, over the last few years, have benefitted from some fantastic programs and it is a huge investment in the road space, Mr Graham—

**The Hon. JOHN GRAHAM:** So you are comfortable with the level.



**The Hon. SAM FARRAWAY:** Also there is a list of legacy building road infrastructure projects and programs that we have across the State of New South Wales that really do impact and will benefit regional New South Wales—

**The Hon. JOHN GRAHAM:** One of those programs is the roads reclassification program. You administer that. It has gone incredibly slowly. You have promised that 15,000 kilometres will be switched across from councils to assist with maintenance. That has barely happened. Less than 400 kilometres have been transferred or reclassified. At that pace, this will never happen, Minister. Why is this so slow?

**The Hon. SAM FARRAWAY:** It is a big job, Mr Graham.

**The Hon. JOHN GRAHAM:** It is a big promise.

**The Hon. SAM FARRAWAY:** Mr Graham, Transport for NSW manages roughly 18,000 kilometres of State roads; I think they operate another approximately 2,300 kilometres of regional roads. We have a plan in place. We have an expert panel in place. We have had the priority round, we have had COVID, we have had flooding, we have had bushfires. We have had to work very closely, that panel, with councils to allow them the time and the scope to really assess what roads they want to put forward in that process, and all of this is going to be lightening the load over a matter of time. As we reclassify and transfer these roads, this is going to be lifting the load that, might I add—

**The Hon. JOHN GRAHAM:** But, Minister, that is my point, that we already have a shortfall. These roads are already in a dire state and there is flooding on top, damage on top. Why is this program in the slow lane? This was the hope for these councils, that they would get some help from the State Government, and help is not on the way. Only 400 kilometres of that 15,000 kilometres have happened. When will see the next round?

**The Hon. SAM FARRAWAY:** Submissions were extended at the request of councils who were facing significant impact due to the Omicron outbreak and then flooding. The full round of submissions has now closed; it closed on 28 February. I am happy to say we have received in excess of 500 submissions to the full round.

**The Hon. JOHN GRAHAM:** I am sure.

**The Hon. SAM FARRAWAY:** The expert panel chaired by Wendy Machin, who I have met with, is now off deliberating and the process has started in reviewing all of those submissions. They will report back to me with their report on the reclassification and transfer program, and the submissions received, by the third quarter of this year. All of this is a huge task. We are going to take a very measured and staggered approach to this. I have—

**The Hon. JOHN GRAHAM:** I thank you for that answer, Minister.

**The Hon. SAM FARRAWAY:** And I would like to finish the answer, Mr Graham. We have taken a very collaborative approach. I have spoken with a lot of councils, a lot of general managers, a lot of mayors. I have taken—

**The Hon. JOHN GRAHAM:** To the point about when, the third quarter this year, are you giving councils some hope that they will have the next tranche of roads transferred in the third quarter of this year? Is that the hope you are holding out?

**The Hon. SAM FARRAWAY:** I am saying that the expert panel will deliver their report to me in the third quarter of this year. Once those recommendations and report are received, and the good work that that panel is doing, we will be ready to make an announcement as to the next phase of the reclassification and transfer program.

**The Hon. JOHN GRAHAM:** Can you guarantee that it will be this year at least? Can you guarantee that, Minister?

**The Hon. SAM FARRAWAY:** I guarantee that the report will be completed and will be submitted to me, as the Minister responsible, in the third quarter of this year.

**The Hon. JOHN GRAHAM:** But can you give a guarantee that a decision will be made on your desk this year?

**The Hon. SAM FARRAWAY:** I will give you a guarantee that I have met with the panel, I am fully across how many submissions have been made, I support the panel, I support the process, and the report will be received in my office from my update with the chair of the panel in the third quarter of this year, and I give you a guarantee I will have more to say once I have received the report.

**The Hon. JOHN GRAHAM:** Can you give us this guarantee? This was a commitment about regional roads. Minister Toole was transferring roads in Blacktown, in Parramatta and in Liverpool. Can you give us a guarantee that there will not be city roads going across while you have regional communities begging for these roads to be transferred and to be reclassified?

**The Hon. SAM FARRAWAY:** Part of this process in terms of the two aspects of it is the reclassification and the transfer. There are metro roads in there, but the overwhelming majority that I have seen in the submissions are regional roads. I spoke recently at the country mayors forum only a week ago about this. I have discussed this with any council I have met. It is certainly something that they have raised with me. They have raised with me the importance of having council as a delivery partner moving forward.

**The Hon. JOHN GRAHAM:** Have you spoken to Minister Toole to ask him why he was transferring city roads when regional roads are begging for help?

**The Hon. SAM FARRAWAY:** That is before my time as the Minister for Regional Transport and Roads. If you would like more clarity around that, I am happy to pass to Ms Heydon who looks after that process within Transport for NSW.

**The Hon. JOHN GRAHAM:** Thank you for identifying the official. We will come back to that after 2.00 p.m.

**The Hon. DANIEL MOOKHEY:** When will the last kilometre be transferred?

**The Hon. SAM FARRAWAY:** Sorry, repeat your question, Mr Mookhey?

**The Hon. DANIEL MOOKHEY:** The fifteen-thousandth kilometre due to be transferred?

**The Hon. SAM FARRAWAY:** This is obviously the majority of roads that, when the Labor Party was last in government, were palmed off to local government.

**The Hon. JOHN GRAHAM:** It is a straightforward question.

**The Hon. DANIEL MOOKHEY:** Minister, just—

**The Hon. SAM FARRAWAY:** That is the part of the policy you do not like to hear about it, is it?

**The Hon. DANIEL MOOKHEY:** Minister, just let me ask the question. There has been a record level of cutting me off by a Minister so far, which is a good rookie performance, but let me just ask: When is the last of the 15,000 kilometres due to be transferred?

**The Hon. SAM FARRAWAY:** It is a big job, Mr Mookhey. It will be something that we need to get right. I want to ensure that councils are part of this journey in terms of having them as a delivery partner in this space and the maintenance of these roads, whether they are reclassified or transferred under local, regional or State control. As I said to your colleague Mr Graham, the guarantee I give to you is that we will have the report in the third quarter of this year and I will guarantee I will have more to say once I receive that report.

**The Hon. DANIEL MOOKHEY:** I appreciate that. Is the balance of all the roads likely to be transferred by the end of the year, or is it the case that you are looking at a different component of the network of transfers?

**The Hon. SAM FARRAWAY:** You can keep asking the same question in different ways—

**The Hon. DANIEL MOOKHEY:** Minister, this is an election promise that your Government made.

**The Hon. SAM FARRAWAY:** Mr Mookhey, you can keep asking the same question in different ways—

**The Hon. DANIEL MOOKHEY:** And I will.

**The Hon. SAM FARRAWAY:** Once I receive the report, which will be by the third quarter of this year, from the work that that panel has done, I will have more to say about the process moving forward.

**The Hon. DANIEL MOOKHEY:** Minister, your Government promised this at the last election. Can you at least give us a guarantee that you are on track to keep your promise?

**The Hon. SAM FARRAWAY:** We are. We are in the process of doing exactly what we said we would do. We have now the full round, which all the submissions—

**The Hon. JOHN GRAHAM:** By the twenty-second century?

**The Hon. SAM FARRAWAY:** You asked a question. Would you like me to answer it? We are doing exactly what we set out to do here, and that is that we have the reclassification and transfer process, we have had

the priority round and we have now closed the full round. I have been able to advise you today that we have had approximately 500 submissions. We have allowed a few councils that are flood impacted on the north coast some additional time if they needed it to put some last minute submissions in, but the fullness of the submissions is now complete. The panel is meeting. The panel is now reviewing this process. The panel has advised that the report will be on my desk by the third quarter of this year, and the guarantee I give you is that once I have received that report, as the Minister for Regional Transport and Roads, I will have more to say.

**The Hon. DANIEL MOOKHEY:** But at the rate that you are transferring the roads, which is 100 kilometres per year since you made the commitment, it is going to take another 145 years for you to complete your promise.

**The Hon. JOHN GRAHAM:** The twenty-second century.

**The Hon. SAM FARRAWAY:** It is not as quick as the rate that the Labor Party dumped it onto local councils in the first place.

**The Hon. DANIEL MOOKHEY:** Let me just finish, Minister. Are you confident that you are going to be the Minister in 145 years when your Government keeps this promise or are you working on an earlier timetable, because right now it looks like people will be waiting for more than a century for you to keep this commitment, so I am giving you now the third opportunity to provide some assurance that you are on track to keep the promise at some time in a realistic timetable?

**The Hon. SAM FARRAWAY:** Mr Mookhey, in 145 years the upper House could be well and truly abolished by then and neither of us might be here.

**The Hon. SCOTT FARLOW:** That is the Mookhey policy.

**The Hon. DANIEL MOOKHEY:** Well, I will continue to fight for that.

**The Hon. SAM FARRAWAY:** Your library will be so full by 145 years, I don't know, you will have to start digitising all those SO 52s you keep asking for.

**The Hon. DANIEL MOOKHEY:** Well, I am reading those SO 52s faster than you are transferring these roads. So can you at least give us some assurance—

**The Hon. SAM FARRAWAY:** We cannot work at the lightning speed that the Labor Party dumped all these roads back on local councils when you were last in government.

**The Hon. DANIEL MOOKHEY:** Minister, you will just find this goes a lot easier if you can insult me after I finish asking the question. Just tell us then, what is the full cost to the State? These are budget estimates hearings. How much money are we going to incur?

**The Hon. SAM FARRAWAY:** Mr Mookhey, as I said, we have the process well underway. We have had disruptions. We definitely have had disruptions. Local councils have had significant disruptions. We have had COVID. We have had bushfires. We have had flooding, and now we have had significant flooding in some areas. But, as I said, we have received in the full round around 500 submissions. The panel is well into the process now of doing that work. The panel will report back to me in the third quarter of this year and I will have more to say on this policy once I have receive their report.

**The Hon. DANIEL MOOKHEY:** Minister, do you understand that if you are unable to explain to us when your Government will keep its promise and if you cannot tell us how much it is going to cost, it appears as though the Government does not have any idea what it is doing.

**The Hon. SAM FARRAWAY:** No, I think this Government is sensible in its approach. We are not going to—everything that is happening in the economy and in the road space, we want to get this right. We have a panel that has a task ahead of them, and a good panel that will do good work, I believe. That report will be back to me in the third quarter of this year. The Government has already signalled and provided the \$250 million that was in the 2020-21 budget and that is all part of this work. As I said, the full round is now closed. We extended those applications or the ability to make those submissions until 28 February. I have met with the chair of the panel. I actually think we are progressing this commitment that was made at the 2019 election. We are progressing this commitment, but we are not going to be rushed into something. I do not want councils as well, with everything they are dealing with, to be rushed through a process as well. So I think we are on track and we are certainly making progress with this commitment.

**The Hon. DANIEL MOOKHEY:** Thank you. We are going to go to Mr Field now for 10 minutes.

**Mr JUSTIN FIELD:** Thank you, Chair. Minister, I would not mind moving back to some of the questions around the protections with the Princess Highway upgrade. Perhaps if Mr Dunphy would like to



continue from where we left off? You mentioned a number of figures earlier about the amount of money that had been invested, I think, with the Biodiversity Conservation Trust, but I assume that that was for all projects statewide. I would not mind focusing if we could on the Princes Highway upgrades in the Shoalhaven. I think you are just at the assessment phase at this point. I guess what really concerns the community is the use of the Biodiversity Conservation Trust or other on-market purchases as biodiversity offsets. There is no guarantee that those offsets are actually delivered in the local area. I am looking for some sort of undertaking from Transport for NSW and from you, Minister, that the biodiversity impacts are going to be delivered through offsets in the local area and that there be a coordinated or strategic approach to delivering those offsets so it is not piecemeal and we are getting the best outcomes possible as a result of this investment in road infrastructure on the South Coast. So what can you say about that?

**PETER DUNPHY:** Thank you, Mr Field. I am happy to answer that question. You are right; we are still determining the final proposal and the treatments, obviously, that will depend on the final outcomes in terms of the identification of the infrastructure upgrades. We are at this time, though, assessing the impacts of the biodiversity—on species, on vegetation, on the ecosystems—and looking at those particular impacts. You are quite right in terms of trying to ensure that with those biodiversity impacts which of the pathways we take, that we try to identify that in local purchases in terms of biodiversity offsets in the local area. So with species and also with vegetation, that is always our first preference and that is something that as a principle we follow in terms of our policy to try to make sure that it is as close to the project as is possible. Sometimes that is not possible, but certainly that is our stated intention in terms of developing those proposals.

At present, because the projects are still in the very preliminary stages of consultation and finalisation, we will not be able to complete those environmental assessments until we have the specific details. But in terms of the strategic approach, as you point out, it is very important and we do treat it very much as a strategic integrated planning approach in terms of trying to ensure that we are, one, delivering the best environmental outcomes but, two, that we are complying with the Biodiversity Conservation Act. As part of the process, we certainly aim to ensure that the impacts that occur locally are also in terms of the biodiversity scheme. We also acquire locally, and that will be something that we would be looking at in terms of the assessment and then also the position as to which offset pathways we are able to take after those projects. And we do want to make sure that it is part of a broader strategic approach in terms of the overall integrated planning for the area.

**Mr JUSTIN FIELD:** But how do you deliver on that? Have you got a policy document around how decisions are made about biodiversity offsets? Put it this way, you are doing the JB road intersection quite soon. There is planning underway for the JB road to Sussex and obviously Milton-Ulladulla. They are at different stages. If you have a situation where, "We've done the planning now for the JB intersection. This is the impact. We would only require this much offsets. You know, we can make a purchase here or pay money into the fund there." A few years later we will do it for JB road to Sussex. I am asking for you to look at the Princes Highway upgrades in the Shoalhaven in their entirety and make a judgement about, "Wow, this is going to be the impact. This we would minimise as much as we can but this is going to be the overall impact. We now have got a bigger pot of money to spend on biodiversity offsets. We could get some real strategic outcomes across the whole region if we do this in a coordinated way." I am asking you to, I guess, think a bit outside the box about how you deliver this program on the South Coast and that it is done with that strategic view in mind and not just bit by bit by bit. Can you do that under the way you currently operate?

**PETER DUNPHY:** In terms of our environmental team and the way that they work with their infrastructure in place group, it is really about ensuring that it is a strategic approach. With all of projects, we do look holistically in terms of the overall benefits and how we can achieve through the biodiversity offset program the best outcomes. Certainly I will take that on board, and I am happy to continue to update in terms of how we will do that.

**Mr JUSTIN FIELD:** Who makes the decision ultimately though on "This is the approach we are going to take there"? Is there any opportunity for there to be some sort of higher level community engagement in the biodiversity offsetting or minimising decisions around these projects?

**The Hon. SAM FARRAWAY:** Can I just make a couple of points as the Minister, Mr Field? Firstly— and I think you are hearing it in the theme of what Mr Dunphy has said—Transport looks to minimise the environmental footprint on any of our projects. We look to reduce it as much as is possible. And to some of the theme today of what we have been talking about, you know, even if you look at the Milton-Ulladulla and Burrill Lake bypass, even if you were to change the route, there would be significant environmental footprint in changing the route on Burrill Lake. I think that is an example.

I think there has been a lot of good work that was done on the Pacific Highway upgrade around offsets. I accept the question about offsets around how to do it, localising it and looking at the holistic approach. I accept

that, and Mr Dunphy has certainly taken that on board. But just on a larger scale in terms of what Transport I think is doing and from the Government's point of view, there is the appetite there to reduce the footprint as much as possible. I think it is worth noting that that is a huge consideration when we are looking at these huge road projects. It is a huge consideration already.

**Mr JUSTIN FIELD:** I hear what Mr Dunphy says but we are also currently undertaking the inquiry into the Biodiversity Offsets Scheme in New South Wales at the moment. I am sitting on that inquiry. We have heard evidence that biodiversity offsets for WestConnex for the golden bell frog were delivered in a private plot up around Coffs Harbour, I think it was. So surely you are well intentioned as you go into the project, but then there is the practical delivery against the current scheme and you are trying to get best value for money for the project as well. But clearly there are some questions about whether or not that was the best outcome there.

I am asking: Is there a way we can make sure that we are delivering the best strategic outcome locally? Who ultimately makes this decision within Transport for NSW about how that is delivered, and is there a way to have some more community engagement in that decision-making process? There might be trade-offs that can be made here around this scheme, but we get better local outcomes. For instance, there is a discussion about those State forests just south of Burrill Lake and whether they are badly fire affected. It might be that there is a way to bring some of these other areas of government consideration around the future of our forests into these discussions. Everyone knows there will be an environmental impact. I am asking you to look more strategically than what you have done demonstrably in the past.

**The Hon. SAM FARRAWAY:** I take on notice that Transport would need to work with a criteria. That is set outside of my portfolio responsibility. But to your point about the delivery and holistically looking at that over a project, I think Mr Dunphy has taken that on board. I am certainly happy to look at that moving forward.

**Mr JUSTIN FIELD:** I am happy to move on. Do you have a view about the Nowra bypass proposal?

**The Hon. SAM FARRAWAY:** In what way? Specifically what is the question?

**Mr JUSTIN FIELD:** There are a lot of people who think there needs to be a bypass at Nowra. It is not part of the current planning for the Princes Highway upgrades. I am asking if you have a view about whether or not there should be a bypass at Nowra, and where that should sit in future planning.

**The Hon. SAM FARRAWAY:** I have visited a lot of regional New South Wales already, but I have not visited Nowra. In fairness, I will take it on notice because I have not been completely briefed on that situation. But I accept that there are conversations at community level about wanting to either be bypassed or not be bypassed.

**Mr JUSTIN FIELD:** Mr Sharp, or whoever is more appropriate, is Nowra bypass on your radar at all?

**ROB SHARP:** There is \$1.9 billion that has been allocated for the upgrades between Nowra and the Victorian border. In respect to that particular bypass, I would have to pass to Mr Hayes.

**ANTHONY HAYES:** Thank you. I am Anthony Hayes from Transport for NSW. There are certainly no plans or no time line at this stage for a Nowra bypass. When we looked at it last time, the early investigation suggested that 85 per cent of the daily traffic was actually locals moving around and that a bypass would not, in fact, improve the congestion, which is different to the bridge that is happening. The focus was that we did not believe it was worthwhile. At this stage, there are no plans to do the project and certainly no money has been invested.

**Mr JUSTIN FIELD:** Minister, have you had any representations since you came into the job from former member for Bega Andrew Constance around the Nowra bypass?

**The Hon. SAM FARRAWAY:** To my recollection, I have not received a representation from Andrew Constance.

**Mr JUSTIN FIELD:** I am not sure if anyone from within the agencies has received any correspondence from former transport Minister Constance on this proposal.

**ROB SHARP:** No, I have not. The only communication has been in regard to the Nowra Bridge, which he was very passionate about.

**Mr JUSTIN FIELD:** Do you recall at all when he was transport Minister whether or not he had agitated around the Nowra bypass?

**ROB SHARP:** Not directly with me.

**Mr JUSTIN FIELD:** So his support for a Nowra bypass was not really reflected in the work that he was previously doing then, I guess, as transport Minister and then his time as a local member down there.

**ROB SHARP:** I cannot comment on that.

**ANTHONY HAYES:** I have not heard former Minister Constance personally, but my understanding is that he was an advocate for that. It was investigated and the result of that investigation was that it was not a priority. As with everything, there is only so much funding to go around. That was not deemed to be a key priority.

**Mr JUSTIN FIELD:** Are you suggesting that when he was Minister he asked for an investigation into whether or not—

**ANTHONY HAYES:** No, I do not know that. I would have to research that.

**Mr JUSTIN FIELD:** On what basis do you hold the view that he was supportive of that project?

**ANTHONY HAYES:** Purely from the briefing note I have here in front of me, which says that former Minister Constance had mentioned that he would be advocating for a Nowra bypass.

**Mr JUSTIN FIELD:** When had he mentioned that, and mentioned to who?

**ANTHONY HAYES:** As I said, I have not heard that. That is my understanding, but I have nothing further than that.

**Mr JUSTIN FIELD:** That briefing note in front of you, who has prepared that?

**ANTHONY HAYES:** My team.

**Mr JUSTIN FIELD:** For estimates today? And that is the only line on it about that? Minister Constance had been supportive of the project.

**ANTHONY HAYES:** Yes.

**Mr JUSTIN FIELD:** When was this project looked at? I think you mentioned that it was looked at and it was deemed not necessary. When did that occur?

**ANTHONY HAYES:** I would need to investigate. I am not too sure.

**Mr JUSTIN FIELD:** No worries. Can you take on notice whether or not there has been any formal communication from Andrew Constance when he was Minister for transport or after he left that role or since about this project?

**ANTHONY HAYES:** I can take that on notice.

**The Hon. SAM FARRAWAY:** Mr Field, I am happy to confirm that my recollection is that I have not received any correspondence from Andrew Constance. I have not personally spoken to the MP, but other MPs on the South Coast have spoken with my office about the Nowra bypass.

**Mr JUSTIN FIELD:** No worries. It is getting a bit of attention then, isn't it?

**The Hon. SAM FARRAWAY:** I am confirming what I know, and that is that there are other State members of Parliament who have raised the Nowra bypass with my office.

**Mr JUSTIN FIELD:** Chair, I might hand back. I have some other questions, but they will be a bit disconnected. I will come back to them in the next round.

**The Hon. DANIEL MOOKHEY:** We will go now to the Opposition.

**The Hon. JOHN GRAHAM:** Minister, we have got a lot of issues to raise. I might just raise some with you rapidly in series. First of those are warning signs for speed cameras. Do you support the Opposition policy which calls for them to be placed in front of these mobile speed cameras and after these mobile speed cameras?

**The Hon. SAM FARRAWAY:** The position of the New South Wales Government is that we are fitting rooftop signs to the mobile speed camera fleet and that they will advise motorists that their speed has been checked.

**The Hon. JOHN GRAHAM:** I congratulate you for answering that question far more clearly than the Minister for Metropolitan Roads. Take that as a comment. I do not expect you to respond. Why, then, is the Premier on radio saying that he agrees with the Opposition's position that these speed cameras should not just be there to raise revenue for the Government and you have to strike the right balance?

**The Hon. SAM FARRAWAY:** I agree that you do have to strike the right balance. I agree that there should be signage and I agree that the rooftop signage is an important part of the program of the mobile speed camera vehicles. Obviously, the rollout commenced in February and, as at 15 March, 88 per cent of the vehicles have operational rooftop signs. That is 127 of the 143.

**The Hon. JOHN GRAHAM:** But you stated clearly that you do not agree with the Opposition's policy. You have been clear cut on that. Why is the Premier saying that he does agree with the Opposition?

**The Hon. SAM FARRAWAY:** I am stating what the policy position is of the New South Wales Government. As the Minister for Regional Transport and Roads, and in my conversations with the Deputy Premier as well about the mobile speed camera cars, who was the former Minister, I have obviously sought conversations with the Deputy Premier about this. The balance is that there should be signage and the signage should advise drivers that that vehicle is a mobile speed camera and that their speed has been checked.

**The Hon. JOHN GRAHAM:** Did you ask the Deputy Premier why he agreed to remove these signs in the first place? Why did he repeatedly defend it, given what he is now saying? Have you asked him that?

**The Hon. SAM FARRAWAY:** I am not going to go down a path of giving you details of conversations I have had intimately with the Deputy Premier—

**The Hon. JOHN GRAHAM:** So it did not come up?

**The Hon. SAM FARRAWAY:** —but the Deputy Premier has been very clear in the media that these vehicles need to have these signs fitted on them by the end of March or those vehicles would be taken out of service.

**The Hon. JOHN GRAHAM:** It was his decision. He backed this in. He has repeatedly backed it in sitting where you are now.

**The Hon. SAM FARRAWAY:** You are asking me a question that was before my time. I was not the Minister for Regional Transport and Roads at the time. I am making clear to you what the New South Wales Government policy is and where we are at in the rollout of fitting those rooftop signs to those mobile speed camera vehicles.

**The Hon. JOHN GRAHAM:** Minister, there has been a regional bus sighted in Sydney. It was driving up with its hazard lights on at President Avenue in Rockdale. It came down College Street towards Mrs Macquarie's Chair. It contains a very big photo and slogan on it for the former Minister for Transport, Andrew Constance. When he was asked about it publicly, he said:

I'm helping [Transport Minister David] Elliott out ... It's on loan as a train replacement bus.

Is this bus on loan as a train replacement bus?

**The Hon. SAM FARRAWAY:** I know nothing about the bus that you refer to with Andrew Constance. The question is completely out of scope with my ministerial responsibilities. I am the Minister for Regional Transport and Roads.

**The Hon. JOHN GRAHAM:** This is a regional bus. It is shipped up from regional New South Wales.

**The Hon. SAM FARRAWAY:** No, you are talking about a bus—

**The Hon. SCOTT FARLOW:** This is a long bow.

**The Hon. JOHN GRAHAM:** Is Andrew Constance's campaign bus being used as a train replacement bus?

**The Hon. SAM FARRAWAY:** I know nothing about the bus that you are referring to, Mr Graham.

**The Hon. JOHN GRAHAM:** I am asking: Has taxpayers' money been shelled out?

**The Hon. SAM FARRAWAY:** I know nothing. I cannot answer the question if I do not know anything about it.

**The Hon. JOHN GRAHAM:** I am asking about the public comments of the former Minister for Transport. Can you give us a guarantee that public money is not being shelled out for this campaign bus to tour New South Wales?

**The Hon. WES FANG:** Chair, the Minister is getting maybe two words in before he is talked over.

**The Hon. SCOTT FARLOW:** Point of order: As the Minister has indicated, this does not fall within his portfolio responsibilities. While it may be a bus from a regional area, the same could be said for any person

from a regional area who travels on a metropolitan transport network. This is a metropolitan transport network. It is a question that should be directed to the Minister for Transport covering metropolitan transport and not to this Minister.

**The Hon. JOHN GRAHAM:** To the point of order: This bus has picked up passengers from the regions in New South Wales, as far as we know. It is appropriate to ask: Has taxpayers' money been allocated to this campaign bus?

**The Hon. SAM FARRAWAY:** I know nothing about the bus in question that you refer to with Andrew Constance. The bus is travelling in a metropolitan area, so I would only assume that it is not in my ministerial portfolio. I am happy to take it on notice, Mr Graham, but I know nothing about the bus that you refer to with Mr Constance.

**The Hon. JOHN GRAHAM:** Can you agree that it would be inappropriate to be giving out taxpayers' money to a campaign bus as it moves around the State?

**The Hon. SAM FARRAWAY:** I know nothing about the bus that you are referring to.

**The Hon. DANIEL MOOKHEY:** Minister, can we turn to another matter, which is around the Moruya bypass? Firstly, is the Moruya bypass going to connect directly to Eurobodalla Hospital?

**The Hon. SAM FARRAWAY:** With regard to the Moruya bypass, I have visited that community and met with members of that community who have shared their thoughts around further consultation around the broader bypass of Moruya and what it should and should not look like. There are three outlined possible routes. I have given a commitment to members of that community that I would essentially restart the consultation on the Moruya bypass. That is underway at the moment. I have asked Transport to administer and conduct that consultation with a view to talking to and allowing as much of the community as possible to share their view to ensure that it is in the community asking for their view, to engage with the business sector and to engage with the local government.

**The Hon. DANIEL MOOKHEY:** Minister, I want to bring you back to the question. It is helpful context, but the question was: Is the Moruya bypass going to connect directly to Eurobodalla Hospital?

**The Hon. SAM FARRAWAY:** The final route for the potential Moruya bypass is not definitive, it is not defined, so I cannot answer the question.

**The Hon. DANIEL MOOKHEY:** It is a matter of government policy, which, to be fair, officials cannot answer. Only you can, in this respect. The community is quite clear: They want a direct connection to the hospital. Is that the policy objective that you are trying to achieve here?

**The Hon. SAM FARRAWAY:** I want the community to have the ability to make sure that anyone who has thoughts, suggestions or criticism of where we are at with the Moruya bypass and what they think it should look like should have that opportunity, and that consultation is underway right now. I believe the consultation finishes in June. Mr Hayes, is that right?

**ANTHONY HAYES:** It is just going out now.

**The Hon. SAM FARRAWAY:** With the view that that consultation should be wrapped up with the community approximately by June this year.

**The Hon. DANIEL MOOKHEY:** What is the cost of the bypass?

**ANTHONY HAYES:** There is no cost.

**The Hon. SAM FARRAWAY:** There is no cost because there is no defined route. There was a route that was put out there, but there are three routes that are possible scenarios for the bypass. What I want to do is ask the community not for feedback on one particular route but on all three, and allow Transport to engage with that community so that we ensure that we capture all the feedback.

**The Hon. DANIEL MOOKHEY:** Minister, I appreciate the context, and I am sure that the community appreciates that you have made a decision to reopen the consultation. But at the end of the consultation, the route that the community was told was being built would have bypassed the hospital, and that is where the fear arises.

**The Hon. SAM FARRAWAY:** I do not know whether they were told that it would be bypassing the hospital. There was one route that would possibly bypass the hospital. There have been concerns raised with me through the consultation period that members of the community were not able to participate or felt as if they missed their opportunity. There is more than one route. Transport has put all three routes on display and we are opening the consultation again, which is the commitment that I made to that community.



**The Hon. DANIEL MOOKHEY:** Again, I appreciate that, but were you advised to adopt—prior to you making the decision to repeat the consultation phase, which, of course, the community welcomes. Prior to that point, were you advised that Transport for NSW's preferred option was the purple route, which would have involved people who were travelling south having to drive down a further two kilometres and then have to turn around to have access to the hospital? I understand that you have made a change here, but was that the result of the first round of consultation? Transport for NSW was advising you to adopt the purple route option, which would have not provided a direct connection to Eurobodalla Hospital.

**The Hon. SAM FARRAWAY:** In terms of the specifics around what the consultation was from the community in the first round of consultation, I will ask Mr Hayes to answer the question because I was not the Minister when that—

**The Hon. DANIEL MOOKHEY:** No—

**The Hon. SAM FARRAWAY:** Mr Mookhey, you are asking what the feedback was in the initial consultation.

**The Hon. DANIEL MOOKHEY:** No, I am not, Minister.

**The Hon. SAM FARRAWAY:** That is what you just asked for.

**The Hon. DANIEL MOOKHEY:** Maybe you are not understanding the question or you are not hearing it. I am not asking what the feedback was. I am asking you directly: Were you briefed that Transport for NSW's preferred route was the purple route, which would have bypassed the hospital?

**The Hon. SAM FARRAWAY:** I was advised that the purple route was one of three possible routes.

**The Hon. DANIEL MOOKHEY:** The final question I want to ask on this matter is: When will you be making the decision? When will the people of Moruya know?

**The Hon. SAM FARRAWAY:** I think I need to give the people of Moruya the ability to go through the consultation phase again, which is what they have asked for and what I have committed to and delivered, working with Transport for NSW. Let us see what comes of the consultation, and then I will be in a position to say more on the Moruya bypass. Whether it is the purple route, the orange route or whatever it is—any of the three routes—the reality is that a decision will have to be made. But I did not want to make a decision while the community was so vocal around missing the opportunity to have their say during obviously the COVID-19 outbreak and pandemic, where consultation was done differently. There might have been more virtual consultations, but now the restrictions have reduced and been removed in most settings, Transport now has the ability to run more traditional consultation.

**The Hon. DANIEL MOOKHEY:** I appreciate that, Minister. We are going to move on.

**The Hon. JOHN GRAHAM:** Minister, I will ask you to look at this letter that I will table with you. I want to ask you a question about an issue that has come up about toxic sludge. I want to be clear why I am asking you, because this, if it is shipped, will go through the Port of Newcastle and potentially into regional New South Wales to be processed.

**The Hon. WES FANG:** Point of order: Obviously the Minister has only just received the correspondence. I ask that he be given a bit of time to read the correspondence. Obviously Mr Graham directing comments at him while he is trying to read the letter could be somewhat distracting.

**The Hon. SCOTT FARLOW:** I think you might have asked for that the other day.

**The Hon. WES FANG:** Procedural fairness dictates that he be given the opportunity, given that the letter has just been tabled.

**The Hon. JOHN GRAHAM:** Minister Toole knows what I am reading from.

**The Hon. DANIEL MOOKHEY:** To be fair, the reading time precedent is established. That reasonable time has to be—

**The Hon. SCOTT FARLOW:** I think it is the Toole precedent, actually.

**The Hon. JOHN GRAHAM:** I will direct you to one particular line in it, Minister, which I think will help.

**The Hon. DANIEL MOOKHEY:** It is actually the Anderson precedent. He was the first to insist on reading time. I do not want to begrudge Minister Farraway, who now seems to have read the letter, that time. Minister, have you had the chance to familiarise yourself with this correspondence?

**The Hon. SAM FARRAWAY:** I have briefly skimmed over this letter.

**The Hon. JOHN GRAHAM:** I will direct you to one part in particular.

**The Hon. SAM FARRAWAY:** The zinger bit?

**The Hon. JOHN GRAHAM:** Not at all. I want to be clear, this was the subject of earlier discussion in estimates, where the question was about: Will 12,000 cubic metres of toxic sludge be taken off the bottom of the harbour, through the Port of Newcastle and into regional New South Wales surrounding Newcastle? Officials were clear cut. They just said no, this will not happen.

**The Hon. SAM FARRAWAY:** In which estimates did this occur?

**The Hon. JOHN GRAHAM:** This was raised originally in Metropolitan Roads.

**The Hon. SAM FARRAWAY:** Right.

**The Hon. JOHN GRAHAM:** Now this letter has been sent from Transport to the council, and it says something totally different. It says:

Transport for NSW intends to resume discussions with Port of Newcastle following planning approval and will continue to work closely with them, as well as with Council and the local community ahead of and during construction of Beaches Link.

This now raises the option of toxic sludge going back to Newcastle and being shipped into the surrounds, into areas that you have responsibility for. Are you aware of this? Are you concerned about it?

**The Hon. SAM FARRAWAY:** Firstly, I will broadly take it on notice. It is very much an operational matter, Mr Graham, so I am going to refer to Mr Sharp on this because the project is under a different ministerial portfolio. The ports are not under my portfolio.

**The Hon. JOHN GRAHAM:** I agree.

**The Hon. SAM FARRAWAY:** I accept that some of the regional roads or highways in between are my portfolio responsibility, but I will hand over to Mr Sharp to see if had he has any comment on the letter.

**ROB SHARP:** Not having read the letter, Mr Graham, the evidence that was given was around the removal of the sludge to do with the new western harbour tunnel. The evidence was that there would be a number of sites that would be used to process this. In respect to this letter, I would have to take it on notice and go back through the infrastructure in place—

**The Hon. JOHN GRAHAM:** Mr Sharp, you have got the letter now.

**ROB SHARP:** Yes.

**The Hon. JOHN GRAHAM:** I might come back to this in the officials' session once you have had some more time—

**ROB SHARP:** Yes, and I will come back with a direct response to the letter.

**The Hon. JOHN GRAHAM:** Thank you. Minister, I want to follow on with the issues my colleague Mr Field was raising about the highway down south, particularly the Milton-Ulladulla bypass. He has raised it persuasively but he is not the only one raising it. The State member for South Coast, Shelley Hancock, gave a scathing address on 23 February. She stated:

... this issue, more than any other, is a crucial one to resolve urgently for the people of the electorate of South Coast. Finally, after almost 40 years of representing my community, I implore the Government to take seriously the issues I have raised tonight and many times before in public meetings, meetings with Ministers and meetings with the RMS, otherwise there may be serious electoral consequences.

People are angry as I have never seen them before on the South Coast.

Minister, have you spoken to the member for South Coast since she made these comments on 23 February?

**The Hon. SAM FARRAWAY:** I am unfamiliar with those comments. Those comments have not been shared with me. I have received correspondence from the member for South Coast on issues and the Princes Highway upgrade is one of them. But I have not spoken with the member for South Coast and, I might add, the member for South Coast has not, in my understanding and recollection, asked for a meeting with me to discuss it either.

**The Hon. JOHN GRAHAM:** But it is not just Mr Field raising this. This was a public plea in the Parliament of New South Wales. This is what she said:

... at the moment there appears to be a wall of silence despite funding allocated for construction to begin. There appears to be no urgency to resolve the impasse from Transport for NSW and no appetite to think laterally and design an exit point which does not involve the residential areas of Canberra Crescent and Burrill Lake.

Given this public plea from your colleague, will you reach out and discuss with her those significant concerns with this project?

**The Hon. SAM FARRAWAY:** I am happy to discuss any concerns any member of Parliament has with regional road or transport-related areas in their electorate. If the member for South Coast wants to sit down with me and discuss this, I am more than happy to do that at the earliest possible convenience. But my understanding and recollection is that I have not received a meeting request from the member for South Coast. As you know, Mr Graham, I am in the upper House, not the lower House, so I was not aware of those comments that you are reporting that were made in Parliament.

**The Hon. JOHN GRAHAM:** Finally, I place on the record the Opposition's concerns about the significant community concern here, including those resignations and including the views that have been represented to you by those other members.

**The Hon. DANIEL MOOKHEY:** We will go to the crossbench and Ms Faehrmann for 10 minutes.

**Ms CATE FAEHRMANN:** Thank you, Chair. Minister, going back to the impact of the disastrous floods on roads, do you acknowledge the role that climate change has played in the destruction of the regional road network over the past month?

**The Hon. SAM FARRAWAY:** I acknowledge, Ms Faehrmann, that the North Coast in particular and the Northern Rivers have been subject to a natural disaster, one which they have not seen in history in many areas. You look at one-in-100-year, one-in-500-year and in some areas one-in-1,000-year floods. To my comments earlier, I noticed you have a particular view from your Twitter account that you have tagged me in already. This is a natural disaster, there is no doubt about it. But in terms of anything else, you can have your view and I will have my view. But I accept it is a natural disaster and I accept that Transport is on the ground doing what we need to do to support those communities.

**Ms CATE FAEHRMANN:** What are you doing then, Minister? I am keen to know the preparation within your department in terms of, let us call it, climate preparedness, recognising that, for example, last year in March 2021 Transport for NSW's webpage contained a page entitled "Impacts to NSW State Roads from natural disasters". It talks about the March 2021 flood being a one-in-100-year weather event and how significant the damage was on the State's roads then. That was a year ago. The destruction and devastation now is so much worse, as you have acknowledged, and you have been up there to see it. What is going on within regional roads, within your department, to ensure that our State's roads can cope with increasing extreme weather events?

**The Hon. SAM FARRAWAY:** Thank you for the question. I will hand over to the secretary, Rob Sharp, to address your question.

**ROB SHARP:** Thank you, Minister. We released a sustainability report in 2021. This was an open document to the community in terms of the broader sustainability question. When we are repairing roads, what we would like to do is repair back better, basically looking at the resilience element. All new projects are taking into account resilience as well as the impact of climate change, particularly with CO2. There are a number of layers of activity that we have publicly announced and we are actively building those into procurement processes and into our planning for new projects. But it is actually a long-term agenda where we need to build the resilience over time as we are building new infrastructure, and if infrastructure is impacted, looking at how we do that better. The Oxley Highway from May last year is one where we looked at the geotech of the area. We have built some quite strong reinforcements in and around some of the landslip area, however, acknowledging that the risk in some of these areas does remain.

**Ms CATE FAEHRMANN:** Just to get a sense then of what that means on the ground for the people of northern New South Wales, we know that a lot of the roads affected are a council responsibility, but the way in which they are going to be built back surely cannot be the way in which they have been built previously. What role will your department have, Minister, to assist councils to ensure that they can indeed build back those roads that have been completely washed away, that they can actually build roads back that can withstand the type of event that we have just seen?

**The Hon. SAM FARRAWAY:** Ms Faehrmann, I take it you are asking about the betterment, building back better and obviously ensuring that through disaster recovery and through funding through the Commonwealth, where possible, we can build back better—and obviously the betterment clause in some of the disaster funding. Is that correct?



**Ms CATE FAEHRMANN:** Yes. From what I have been told, it is trying to get a sense of exactly what is going to happen differently. Many of the bridges that were recently repaired or replaced in the Northern Rivers from the last floods have been washed away from these floods. I suppose it is just about getting some kind of assurance that councils will get the assistance they need. What are the changes? It is not step change. These are significant changes that are going to have happen—and happen soon—for these roads and bridges.

**The Hon. SAM FARRAWAY:** Firstly, Ms Faehrmann, I put on the record that in my conversations even before I was the Minister for Regional Transport and Roads but working as the Parliamentary Secretary to the Deputy Premier, I would talk to councils all across the State about betterment and about disaster recovery funding, and the community will and appetite are to ensure that when infrastructure is built back, it is built back better. It is a key component of our recovery committees and our approach in New South Wales. The Premier and Deputy Premier and local MPs of all political persuasions have raised this with me on the North Coast. The Premier has been clear that he will be talking to the Prime Minister and the Commonwealth about this moving forward. There has obviously been discussion around ensuring that we do not gold plate infrastructure when we build it back, but I think we have moved on from that.

I think, in particular, in regional areas and with roads and transport infrastructure, there is a huge need after these events to be able to make the infrastructure more resilient in certain areas of the State and to build it back better, and I will allow the Premier to have those conversations with the Commonwealth. But I will pass over to the deputy secretary, Matt Fuller, who actually sits on the recovery committee and might be able to expand on some of the particulars of the North Coast for you.

**MATT FULLER:** Thank you, Minister. It is a very large focus of the State Recovery Committee to ensure that any of the infrastructure repair work that does go on is, in fact, done to a new standard—to betterment, as you say—or to consider the whole process of adaptation to help communities to avoid enduring the sort of hardship that has been experienced. In terms of what Transport does, what we have done previously and what we will continue to do, we build into any of our infrastructure projects considerable resilience into the network.

The Pacific Highway is a very good example, and although we did have sections of the Pacific Motorway flooded, which it has actually been designed to do because of the significant flood plain areas that it does traverse, once those waters receded, it was basically in a state where it was ready to go again. Mr Sharp has just talked about the Oxley Highway. The Oxley Highway this time around in this event has remained open the whole time, albeit we have had some controlled access in some areas. We have not had the prolonged closures that we have seen in the past.

Every one of these events, when they occur, we really go in with a deep dive, have a look at the infrastructure, look at the vulnerability points and look at what packages of work we can do to ensure that, going forward, we are building back in a more resilient fashion. Tabulam Bridge is another great example up there in the north. That bridge was replaced and it has withstood the recent event. I am not sure of any bridge replacements that we now do not have that have been put in place over the State network, or through the Fixing Country Bridges Program as an example, where they have not withstood the event and that they have come out due to the fact that we have built in significant resilience in any of the recent work that we have undertaken.

**Ms CATE FAEHRMANN:** In the adaptation work, I am assuming it is somehow incorporated into your response. I am keen to know within the department, what are you basing that adaptation around? What scale of weather events are you planning for for the State's roads and bridges? Who is providing that information? Is it one-in-100 year? What are you planning for?

**MATT FULLER:** Thank you for the question. It varies depending on the geography and it varies on what information is available to us. We use a range of information, whether that be through local government artefacts or through the Department of Planning. On significant projects, which many of the road projects that we undertake are, we also engage our own expert specialists, whether they be in hydrology or other environmental impact areas so that we can really do a thorough assessment before coming to conclusions on what infrastructure is appropriate for the choice that we are taking in that particular area. It is a complex process. There is no one size fits all, and there is certainly not, say, a local government flood artefact that we refer to. There is quite a lot of supplementary information that we seek and rely upon to inform decisions, and local expertise is also a big consideration in that.

**The Hon. DANIEL MOOKHEY:** Minister, are you building a fast rail network?

**The Hon. SAM FARRAWAY:** We have a faster rail policy—the New South Wales Government does, Mr Mookhey.

**The Hon. DANIEL MOOKHEY:** Yes. Are you building a network?

**The Hon. SAM FARRAWAY:** We have identified five key areas with our fast rail strategy.

**The Hon. DANIEL MOOKHEY:** What are they?

**The Hon. SAM FARRAWAY:** We have the Central West and western line. We have the Central Coast and Newcastle line. I will get you some more information because I have had a mental blank here.

**The Hon. DANIEL MOOKHEY:** That is okay. You can take that on notice, Minister.

**The Hon. SAM FARRAWAY:** It is alright; I will answer the question. You have the northern route, including the Central Coast and Newcastle; the southern coastal route, including Wollongong and Bomaderry; the Central West route, which I spoke to you about, which includes Lithgow, Bathurst, Orange and Parkes; and the southern inland route, which includes Goulburn and Canberra.

**The Hon. DANIEL MOOKHEY:** What is the cost of building all those routes?

**The Hon. SAM FARRAWAY:** We are still working through what the total cost is over all those four different routes.

**The Hon. DANIEL MOOKHEY:** When do you anticipate them being open for service?

**The Hon. SAM FARRAWAY:** With some of the costs, the Government has committed an initial \$298 million over four years. That was in the budget, which is \$45 million committed to in the 2021-22 budget for planning, but it is an important long-term strategy and it is hard to say exactly what it will cost long-term. I note that there is a Federal election coming and certain political parties have a view on this and funding, but in delivering the entire project, it is going to be expensive but it is important for the long-term connectivity of rail services in this State.

**The Hon. DANIEL MOOKHEY:** Professor Andrew Norton did a study on this, did he not?

**The Hon. SAM FARRAWAY:** He did, and he has more than 45 years' experience working on rail infrastructure.

**The Hon. DANIEL MOOKHEY:** That is good. Have you read it?

**The Hon. SAM FARRAWAY:** I have not read all of the report. I know of the report but I have not read all of it.

**The Hon. DANIEL MOOKHEY:** Why is that report not public?

**The Hon. SAM FARRAWAY:** I will take that on notice.

**The Hon. DANIEL MOOKHEY:** Can we make it public? It was completed last year, was it not?

**The Hon. SAM FARRAWAY:** I will take that on notice, Mr Mookhey.

**The Hon. DANIEL MOOKHEY:** Sure. Did you by any chance happen to go to the AusRAIL conference on 28 February?

**The Hon. SAM FARRAWAY:** No, I did not go to the AusRAIL conference on 28 February.

**The Hon. DANIEL MOOKHEY:** Mr Secretary did, though, did he not?

**ROB SHARP:** I did.

**The Hon. DANIEL MOOKHEY:** You said that apparently something is going to be communicated shortly, did you not?

**ROB SHARP:** I said there is a process where we are reviewing the plans and the Government will make an announcement in due course, but there is no time frame that I commented on.

**The Hon. DANIEL MOOKHEY:** Sure, and I cannot ask you to comment on government policy. I will ask the Minister to comment on government policy. Minister, what was the secretary referring to when he said that something was going to be communicated shortly?

**The Hon. SAM FARRAWAY:** I am not going to be using budget estimates to be making government announcements and policies. You will just have to wait until the Government makes its policy announcement.

**The Hon. JOHN GRAHAM:** But we have been waiting quite some time on this one, Minister,

**The Hon. DANIEL MOOKHEY:** Have you met with Infrastructure NSW about the design of this fast rail network?

**The Hon. SAM FARRAWAY:** I will take it on notice. I do not think so, but I will take it on notice, Mr Mookhey.

**The Hon. DANIEL MOOKHEY:** Are you aware that Infrastructure NSW is due to provide its updated State Infrastructure Strategy this year?

**The Hon. SAM FARRAWAY:** I was aware that it is due to release that, but I do not know the time line.

**The Hon. DANIEL MOOKHEY:** To be fair to them, they told us this two days ago that it is going to government for decision shortly. Is the fast rail network being considered by Infrastructure NSW as part of the State Infrastructure Strategy or not?

**The Hon. SAM FARRAWAY:** I will hand to Mr Sharp.

**ROB SHARP:** There are a number of longer-term strategies. There is the 40-year infrastructure strategy that we have.

**The Hon. DANIEL MOOKHEY:** But, Mr Sharp, you know which one I am asking about.

**ROB SHARP:** The Infrastructure NSW strategy is about to be announced or published. It has to go through feedback from the Premier's office, as you are aware.

**The Hon. DANIEL MOOKHEY:** Indeed, but given that is a policy document—and Minister, you are the only person here who can tell us about policy—is the fast rail network going to be included in the principal document of the Government that will guide infrastructure decisions over the next five years or is this fast rail strategy being deferred to beyond that five-year period?

**The Hon. SAM FARRAWAY:** I think the release of our fast rail strategy and plan, that will come out in time. That has been made clear, but it is not my role to be making government announcements here in budget estimates.

**The Hon. DANIEL MOOKHEY:** No, that is not correct. Minister, I am not asking for announcements. It is your responsibility to put projects forward for consideration as part of that strategy. What I am asking is: As Minister, have you asked Infrastructure NSW to examine the construction of a fast rail network as part of its five-year plan that is due to be released this year? That is you as the proponent, not the department. Have you suggested that that should happen?

**The Hon. SAM FARRAWAY:** No, I have not.

**The Hon. JOHN GRAHAM:** Minister, on 29 April last year, the Premier told the Sydney Morning Herald Infrastructure Summit about these projects that, "You will just have to wait a little while for the details." How long are we going to have to wait?

**The Hon. SAM FARRAWAY:** When the New South Wales Government has an announcement, which is pending and will come out shortly, on our faster rail strategy, be sure to tune in. I am not here in budget estimates today to make government announcements on policy.

**The Hon. DANIEL MOOKHEY:** Just tell us when; we will tune in. Which hour? Which year? We will be there.

**The Hon. JOHN GRAHAM:** We are on standby; you tell us when.

**The Hon. SAM FARRAWAY:** It has not been approved by the New South Wales Government.

**The Hon. JOHN GRAHAM:** In evidence to estimates from the Greater Cities Commission they talked about readjusting the boundaries for the Greater Cities Commission—that process that is being led, it turns out, by Minister Stokes. Do you anticipate that the shift in the boundaries for the Greater Cities Commission will have any impact for the boundaries for Regional Transport, which you administer?

**The Hon. SAM FARRAWAY:** No.

**The Hon. JOHN GRAHAM:** I want to raise with you, Minister, a local issue that you are unlikely to be aware of—feel free to correct me—that I will raise later with your officials. It was about the bus service down in the Batemans Bay region provided by Rixon's Buses. They have about 16 buses; it is an important community service. It is at risk of folding because of their inability to build back from the bushfire period. They are seeking help from the council to get a development approval for the actual bus depot. More than two years later they are sitting around their kitchen table trying to administer this important local transport service, literally from the kitchen table with life going on around them. It might fold if they do not get some assistance, if they cannot get

this up and running. I accept that you are unlikely to be aware of it and I will raise it with your officials in the later session, but I do want to ask you, would you be happy to look into this situation, given the importance of this community transport option for the South Coast community?

**The Hon. SAM FARRAWAY:** I am unaware of the specifics, Mr Graham, of the example and the situation that you have raised with me. But I can throw to Barbara Wise from Transport, who looks after bus contracts. We can do that now or you can do it in the later session with the officials. To the second point of your question, I am happy, post-estimates, to meet with Barbara Wise to discuss the matter.

**The Hon. JOHN GRAHAM:** Thank you for that commitment; that is much appreciated. I am going to raise one other issue and then go to my—

**The Hon. SAM FARRAWAY:** I am happy, obviously, if those bus operators wish to write to me or if they wish to pass on feedback that they have shared with Transport, they can do that directly to me as well, so that I can have it when I meet with Transport post-estimates to discuss.

**The Hon. JOHN GRAHAM:** Minister, it is not just the Opposition raising concerns about the backlog on local road repairs. These comments:

The maintenance backlog on local road repairs is beyond crisis point, particularly in the Shoalhaven.

This is coming from former transport Minister Andrew Constance. He goes on to say:

Whilst the focus must remain on the Princes Highway, we can't let the local road network continue to disintegrate at the rate it is. Farmers, motorists, business owners and families are all paying too high a price for the state of our local roads.

... Local roads have fallen into such disrepair that the cost of solving the problem is beyond the council's resources.

This is the former transport Minister saying the road network that you administer is in total disrepair. What response do you have to the former transport Minister?

**The Hon. SAM FARRAWAY:** Mr Constance can have a view, that is fine. I respect his time as a former Minister of this Government, but I would disagree with the premise of the question. This Government has committed a lot of additional funds and successful programs to assist local governments in their road repair, whether it is sealing roads or upgrading roads. You have only to look at the commitment that was made at the 2019 election in the Fixing Local Roads space, where this Government committed half a billion dollars of additional expenditure to go to local councils to assist them with the backlog and assist them with progressing their local road infrastructure. This was complemented through the COVID pandemic by the Commonwealth, which also tipped in—I would have to get the exact amount.

**The Hon. JOHN GRAHAM:** Minister, these are not my comments; this is not the Opposition's view. This is the view of Andrew Constance. He is launching a campaign on this issue, an issue that you administer.

**The Hon. SCOTT FARLOW:** I have never heard you quote Andrew so often.

**The Hon. SAM FARRAWAY:** That does not mean that I agree with Mr Constance's view. This Government has gone a long way—

**The Hon. JOHN GRAHAM:** Wait until the question, Minister. I think you have answered that, but I want to ask you this: Should Minister Constance have done something about this when he was in charge?

**The Hon. SAM FARRAWAY:** At the end of the day, Minister Constance was a Minister before I was a Minister. I am now the Minister for Regional Transport and Roads. I am actively working with local council to help them, whether it is in a natural disaster, whether it is helping to administer some of the hugely successful programs we have, one of which is the Fixing Local Roads Program, which complements the Safer Roads Program, which compliments the Fixing Country Roads program, which compliments the Fixing Country Bridges Program. This Government—

**The Hon. DANIEL MOOKHEY:** Minister, we can come back to it in about four minutes' time. We will go to Ms Faehrmann for her four minutes.

**Ms CATE FAEHRMANN:** I want to go back to whoever was responding to my previous question. It is very hard to tell who is speaking from where I am sitting, but you talked about council artefacts when you said what the department looks at to determine the type of infrastructure that is necessary. To me, that sounds like looking at historical flood records, but I was actually talking about climate forecasts. My new question is: What climate science is your department using to ensure the roads and bridges it is building now can withstand the type of floods Lismore has just seen or something much worse, potentially, in a decade's time? The climate science and climate forecasts.

**MATT FULLER:** Thank you for the question. It was myself, Matt Fuller, who was responding to your question earlier. I might actually ask Ms Geraghty to come in here because she is in our infrastructure area and is very across the processes that we go through and the information that we rely on. Some of the examples I used before—as I said, local government artefacts are just one and, as you say, they are historical artefacts that refer to flood modelling. But, obviously, as I mentioned, we also bring in other expertise to assist and complement that information. I might ask Ms Geraghty to add to that if that is okay.

**GILLIAN GERAGHTY:** Thank you, Mr Fuller. Yes, the designs of all of our infrastructure consider a number of different factors. I am happy to take it on notice in relation to what technical elements of climate change and forecasts are considered and come back to you in the afternoon session if that is okay.

**Ms CATE FAEHRMANN:** That would be very valuable. I will move to another question, given the time. Minister, this is quite a specific one actually that I have heard from locals in Lismore. It is generating a lot of problems there. During your visit I wondered if you noticed the traffic lights on Bruxner Highway through Lismore were not operating. Obviously there is a lot of heavy freight movement through that area now as clean-up continues. I hear that those traffic lights are still inoperable; they are not in operation. Clearly the risk of an accident is quite high. Can you take it upon yourself to try to find out why those lights are not functioning if you cannot answer it?

**The Hon. SAM FARRAWAY:** Happy to take it on notice. I will be in Lismore on Saturday meeting with the local member and also the Mayor of Lismore, Steve Krieg. I would be happy to discuss it with them then when I am on the ground to see if there is anything—

**Ms CATE FAEHRMANN:** Can I suggest, Minister, maybe you make a call and see if you can get it happening before the weekend?

**The Hon. SAM FARRAWAY:** I am happy to take it on notice and we will make the call but, just to confirm, I will be on the ground on Saturday in the event that something needs to be done. But we will make the call between now and then as well.

**The Hon. JOHN GRAHAM:** Minister, I am glad you mentioned Fixing Country Roads. It was a key election commitment of \$543 million. Last estimates Minister Toole admitted that \$80.3 million from that program had been transferred out to other Restart NSW projects. The discussion was quite embarrassing. The Minister could not tell us when pressed. He said it had been borrowed; he refused to say when it would go back. He could not tell us which projects it had gone to, where the money had gone or whether taxpayers got good value for it. Will you guarantee that that \$80 million comes back into the Fixing Country Roads program?

**The Hon. SAM FARRAWAY:** That was evidence given by the former Minister at a former estimates, so I certainly will be taking it on notice, but Ms Hayden is also here and I think she oversees part of the Fixing Country Roads program. Maybe she has more to add, but I will take it on notice. It is evidence at a former estimates by a former Minister before I was the Minister.

**The Hon. JOHN GRAHAM:** You are spruiking the program. I am just asking: Will the money that was stolen out of it ever be returned?

**The Hon. SAM FARRAWAY:** There is \$450-odd million that has been committed to the projects.

**The Hon. JOHN GRAHAM:** That is clearly not true.

**The Hon. SAM FARRAWAY:** We have seen 1,400 jobs. I will keep spruiking it because it is—

**The Hon. WES FANG:** Let him finish.

**The Hon. SAM FARRAWAY:** —a program that is delivering.

**The Hon. DANIEL MOOKHEY:** Restart NSW, at the time it was established, it was written into law and the Government promised multiple times that 30 per cent of every dollar spent would be spent on regional New South Wales. According to the Auditor-General in her report on State finances, which I am sure you have read, she clearly warns that that is only going to hit 27 per cent. That 3 per cent amounts to \$800 million of funding denied to regional New South Wales. Given that the predominant allocation from Restart NSW goes to projects within your portfolio, what are you doing to make sure that that money comes to the communities you promised it to?

**The Hon. SAM FARRAWAY:** Well, in the remarks obviously about spruiking the program, there are a lot of wins in this space for the Fixing Country Roads program. In the percentage—

**The Hon. DANIEL MOOKHEY:** Sorry, Minister, I am not asking you about Fixing Country Roads—



**The Hon. SAM FARRAWAY:** In regard to Restart NSW—

**The Hon. JOHN GRAHAM:** It is an entirely different question.

**The Hon. DANIEL MOOKHEY:** Minister, I am not asking you about Fixing Country Roads. I am asking you about Restart NSW. It is a different thing.

**The Hon. SAM FARRAWAY:** I was literally getting to that point and you have cut me off, Mr Chairman.

**The Hon. DANIEL MOOKHEY:** The question is a direct question: What are you doing to get some of the \$800 million that your Government is on track to deny to communities it promised to?

**The Hon. SAM FARRAWAY:** I think it is important—as an operational matter within Transport, I am going to pass it over to the secretary—

**The Hon. DANIEL MOOKHEY:** It is not an operational matter.

**The Hon. JOHN GRAHAM:** It is a matter of government policy.

**The Hon. SAM FARRAWAY:** I am going to pass it over to the secretary to answer the question. Mr Sharp.

**The Hon. DANIEL MOOKHEY:** Minister, this is not an operational matter whatsoever. You are familiar with the commitments around Restart NSW, are you not?

**The Hon. JOHN GRAHAM:** It is a key Nationals policy.

**The Hon. SCOTT FARLOW:** Point of order: It is a long-held principle in budget estimates that it is up to the questioner to ask the question, but it is up to a Minister to answer it as they see fit. The Minister sees fit to have the secretary answer the question and should be allowed to do so.

**The Hon. DANIEL MOOKHEY:** I am not going to uphold the point of order for the reasons that I have not upheld it the last three times that you have made it. Minister, you are familiar with the Restart NSW Fund, are you not?

**The Hon. SAM FARRAWAY:** I am.

**The Hon. DANIEL MOOKHEY:** You are familiar that your Government promised 30 per cent of its proceeds would go to regional New South Wales?

**The Hon. SAM FARRAWAY:** It is currently—well, I will say for the record it is currently tracking at 28 per cent. If you want a further update, I am going to hand over to Mr Sharp.

**The Hon. DANIEL MOOKHEY:** No, we can pick it up with Mr Sharp this afternoon, no problems, but the Auditor-General is warning that it will close out at 27 per cent and that 3 per cent gap will deny regional New South Wales \$800 million. What are you doing to get some of that \$800 million back?

**The Hon. SAM FARRAWAY:** I will take it on notice.

**The Hon. DANIEL MOOKHEY:** Are you doing anything?

**The Hon. WES FANG:** The Minister took the question on notice, Chair.

**The Hon. DANIEL MOOKHEY:** Yes, and I asked him his final question. Are you doing anything about this at all?

**The Hon. SAM FARRAWAY:** I will take it on notice, Mr Mookhey.

**The Hon. DANIEL MOOKHEY:** Thank you. That brings it to an end. It is a pleasure to see you, Minister. Of course, the Government—I do not want to deny Government members their 15 minutes. Do you have questions?

**The Hon. WES FANG:** Chair, I think the Minister has acquitted himself very well, and we have no further questions or elucidations.

**The Hon. DANIEL MOOKHEY:** Great. Minister, you have taken multiple questions on notice.

**The Hon. WES FANG:** Not that many, actually.

**The Hon. DANIEL MOOKHEY:** You will have 21 days to provide a reply. The secretariat will be in touch with your office to provide you with the exact details. We thank you for your time. We look forward to spending another afternoon with the Transport officials, starting from two o'clock. Thank you very much.

**The Hon. JOHN GRAHAM:** I might just flag that issue with Mr Sharp, that reiteration as we come back if we can get that update on the risk of further shutdown.

**ROB SHARP:** Yes, I have requested that.

**The Hon. JOHN GRAHAM:** Good. Thank you.

**The Hon. SAM FARRAWAY:** Mr Chair, if I could just make one point from, I think, Mr Field's questioning earlier: The member for South Coast has written to my office on the Milton-Ulladulla bypass, just for the record.

**The Hon. DANIEL MOOKHEY:** Thank you very much. We will see everybody at two o'clock.

**(The Minister withdrew.)**

**(Luncheon adjournment)**

**The Hon. DANIEL MOOKHEY:** Thank you, everybody. Welcome back. Mr Sharp, thank you again for your appearance and for the appearance of all your officials as well. It is thoroughly appreciated. Do you have any updates from any questions that were taken on notice this morning?

**ROB SHARP:** Yes, the question around the risk assessments that were taking place in regard to the industrial action.

**The Hon. DANIEL MOOKHEY:** Yes.

**ROB SHARP:** I can just give you an update on that. On 10 March Sydney Trains received notification from the RTBU of a range of protected industrial actions, and they commence this Saturday, the nineteenth. On Sunday the thirteenth, last Sunday, a preliminary risk assessment was completed, and last night a finalised risk assessment was sent to Minister Elliott, Minister Farraway and Minister Tudehope's chiefs of staff. The implications of that risk assessment from the operational heads were that they believe the action—the term they use is "tolerable"; in other words, it impacts but does not flow down the operation. So over the two-week period, the actions will result in cancellation of some services and could be potential significant impacts to customers in the event of an incident on the rail network. There was a media release last night off the back of that and some communication to our customers.

The new RTBU actions include a ban on altered working and transpositions for train crew. What that means is that when there is an incident, such as a train that has a need to stop, actually managing that becomes quite challenging and you could end up with some closures for periods of a particular rail sector or a rail line. Significant weather could also be a trigger for something like that. Our message was that customers should prepare for disruption over the next two weeks off the back of that notified industrial action from 10 March. We are exploring contingencies around buses and how we staff the operation, and obviously we continue to engage with the unions regularly throughout these processes as well. We have actually provided an offer to the union to look to alleviate these actions but that was rejected, and we are still continuing our dialogue with the unions in regard to those matters.

**The Hon. DANIEL MOOKHEY:** Is that the only matter which you wish to update us on?

**ROB SHARP:** Sorry?

**The Hon. DANIEL MOOKHEY:** From this morning, is that the only matter?

**ROB SHARP:** Insurance was another one.

**The Hon. DANIEL MOOKHEY:** Please, yes, that would be great.

**ROB SHARP:** Obviously our priority has been the actual recovery of the road network, but we have actually continued to assess the damage and the impacts of the flooding, but until it is fully assessed our finance team has advised that there is no number at the moment. The Minister advised that the work is being undertaken and we will look to recover those costs through the TMF, which insures the assets. We must notify care of any incidents that are likely to result in a claim; however, this can be done within 12 months of the incident and we are not at a point yet—there are 48 sites so far that have been identified and we are just starting to articulate to the teams what information they need to capture so we can actually complete the claims in a detailed manner. So they are the items that I can feed back now.

**The Hon. DANIEL MOOKHEY:** Thank you, and can I also thank the department for turning that around as fast as you have. That is really appreciated. We will commence with questions from the Opposition, and I might just kick off firstly. Mr Sharpe, just picking up from what you said about the update in respect to the industrial action, you got notified on 10 March you say—six days ago?

**ROB SHARP:** Correct.

**The Hon. DANIEL MOOKHEY:** Do you have the notification with you, by any chance—a copy of the notice you were given?

**ROB SHARP:** No, I have not got it with me, but I will—

**The Hon. DANIEL MOOKHEY:** Is it possible we could get it tabled because it is relatively standard, is it not?

**ROB SHARP:** It would be, yes.

**The Hon. DANIEL MOOKHEY:** In respect to the industrial actions that were notified, how many were there? Were there nine?

**ROB SHARP:** There were six main ones, so infinite ban on working on non-Sydney Trains—

**The Hon. DANIEL MOOKHEY:** That is okay, we can rely on the actual detail.

**ROB SHARP:** Yes. There are six items.

**The Hon. DANIEL MOOKHEY:** Is it the case that they are similar actions to that which were notified on 9 February?

**ROB SHARP:** There are differences, but some similarities.

**The Hon. DANIEL MOOKHEY:** There are less of them.

**ROB SHARP:** None of these are identical, no.

**The Hon. DANIEL MOOKHEY:** But there are less of them, are there not?

**ROB SHARP:** Yes.

**The Hon. DANIEL MOOKHEY:** Is this reflective of the outcome of the conciliation which took place on the Saturday and Sunday, and the inevitable result of that particular process?

**ROB SHARP:** The conciliation that took place on the Sunday, or the Monday in reality—

**The Hon. DANIEL MOOKHEY:** Yes, quite, you are right. We should talk about the Monday conciliation.

**ROB SHARP:** Yes, on the Monday, was actually to get some conciliation to enable effectively a manual roster to be implemented with some pretty cumbersome allocations of staffing, but ultimately it did get some essential workers around. There has been no conciliation on these items. These were items that the RTBU tabled to us on the tenth and then we have obviously been in dialogue with them since to understand the nature of them and whether there was any variance, and then we have run a risk assessment off the back of that.

**The Hon. DANIEL MOOKHEY:** You said that you did a preliminary risk assessment—did I hear you correctly—or a final risk assessment?

**ROB SHARP:** Both. The preliminary one started on Sunday, and these take time to work through because they are quite detailed assessments, and the final one was completed yesterday.

**The Hon. DANIEL MOOKHEY:** Is it possible that, again, we could get that risk assessment tabled?

**ROB SHARP:** I have a copy of it here, which I can table.

**The Hon. DANIEL MOOKHEY:** It would be great if you could table it; that would be fabulous as well. But the outcome of that risk assessment is that, as you described it, the action is tolerable—that is the word you used?

**ROB SHARP:** Correct.

**The Hon. DANIEL MOOKHEY:** So really, as best we can tell, both NSW Trains and Sydney Trains will be operating in some form on Monday. Correct? Mr Merrick may also wish to answer after you, Mr Sharpe.

**ROB SHARP:** Sorry, Mr Mookhey?

**The Hon. DANIEL MOOKHEY:** The question was: As best we can tell, Sydney Trains and NSW Trains will be operating in some form on Monday. Correct?

**ROB SHARP:** Correct.

**The Hon. DANIEL MOOKHEY:** To the extent to which there were comments about a looming shutdown, do you have any insight as to why the Minister or one of the Ministers might have that view?

**ROB SHARP:** Yes, as I indicated, when you have an incident in these situations, and that could be weather related or it could be an emergency, the lack of transpositions and the lack of ability to actually move that train means that that line would close effectively for a period, and the period would depend on the nature of the operations at the time and whether we could allocate other staff, and also the discussions with the escalation process, if you like, with the unions. A closure would occur, but there are closures and closures. The closure of a line due to an incident is one thing, and I think that is what was being referenced, but—

**The Hon. DANIEL MOOKHEY:** Right, so it was a contingency or a scenario?

**ROB SHARP:** It was a scenario, correct, and risk assessments are scenarios at the end of the day.

**The Hon. DANIEL MOOKHEY:** Okay. Just in respect to the actual NSW Trains dispute, which is I think co-joined to the Sydney Trains dispute but I will ask through the lens of the NSW Trains dispute because that is what we are here for, last time we heard from you on this matter in some depth it was the case that NSW Trains and Sydney Trains were to return to the union with, I think the way the department characterised it was, an update on the list of priority matters that they indicated to you back in December—the 18 priority matters. Has your department or, for that matter, NSW Trains provided that update?

**ROB SHARP:** Yes, we have communicated to them that we will be providing that to them tomorrow and discussing that, and likewise there were priority lists that the unions had agreed to present to us and that will be presented tomorrow, so that detailed bargaining is scheduled for tomorrow. It was an agreed date between ourselves and the unions.

**The Hon. DANIEL MOOKHEY:** Yes, but last time we were discussing this we had correspondence that I tabled that said that there was a workshop to be taking place on the twenty-sixth and we had a lovely interchange about whether or not the unions knew about it.

**ROB SHARP:** Yes.

**The Hon. DANIEL MOOKHEY:** Did that meeting actually take place?

**ROB SHARP:** My understanding is it did take place.

**The Hon. DANIEL MOOKHEY:** And that is what has led to tomorrow's meeting?

**ROB SHARP:** The meeting tomorrow was a commitment that we gave in Fair Work back on the Saturday prior to that weekend and the commitment was that we would commence detailed bargaining, and we approached the unions last week to set up that meeting, and that meeting is the one that was agreed for tomorrow.

**The Hon. DANIEL MOOKHEY:** Thank you. Can I ask you, firstly, has there been a change to the New South Wales Government's bargaining—how will I put this? Has the Premier issued a memorandum that requires portfolio Ministers to get the concurrence of the Minister for Employee Relations in presenting matters to the ERC?

**ROB SHARP:** Not that I am aware of, not a memo. I have not seen one, if there has been. You would have to direct that to the Ministers.

**The Hon. DANIEL MOOKHEY:** I am referring specifically, for what it is worth, to the update that is on the Premier's website circular, which is dated 3 March, that requires now all portfolio Ministers who are bringing a position to the ERC to get the concurrence of the Minister for Employee Relations. That is public. You are aware of that?

**ROB SHARP:** Yes, I am aware that Minister Tudehope is now involved in that process, correct, if we are going to ERC.

**The Hon. DANIEL MOOKHEY:** That was issued on 3 March, which was 13 days ago. That is what the website says.

**ROB SHARP:** Yes.

**The Hon. DANIEL MOOKHEY:** Do you know why that change was made?

**ROB SHARP:** You would have to refer that to the Government—

**The Hon. DANIEL MOOKHEY:** What impact has it had—

**ROB SHARP:** That is obviously a government process around the ERC approval process.

**The Hon. DANIEL MOOKHEY:** What impact has that had on the bargaining in respect to NSW Trains and Sydney Trains?

**ROB SHARP:** None, because internally we collaborate across whole-of-government. For example, when we put the Fair Work application in, as you have highlighted on a number of occasions, Education, Treasury and others provided input. The Premier's office is also involved in that process. I think this is more a formalisation of that process. That is the secretary's personal observation.

**The Hon. DANIEL MOOKHEY:** So at that workshop that took place last week, who attended from NSW Trains?

**ROB SHARP:** Sorry, the workshop?

**The Hon. DANIEL MOOKHEY:** The letter that I tabled previously referred to inviting the unions to a workshop to discuss future bargaining—that was the precise language that was used. We can probably grab the letter because it is now published on our site.

**ROB SHARP:** Yes, I do not know. I would have to refer to Dale Merrick.

**DALE MERRICK:** Yes, I attended as head of the agency, yes.

**The Hon. DANIEL MOOKHEY:** So you were there last week?

**DALE MERRICK:** I was, yes.

**The Hon. DANIEL MOOKHEY:** And presumably Mr Longland was there last week?

**DALE MERRICK:** Mr Longland was on leave last week.

**The Hon. DANIEL MOOKHEY:** Okay, but Sydney Trains were represented?

**DALE MERRICK:** They were, yes.

**The Hon. DANIEL MOOKHEY:** And Mr Collins, who I think is now part of this process, was there too?

**DALE MERRICK:** He was not there, no.

**The Hon. DANIEL MOOKHEY:** Okay, so who was it?

**DALE MERRICK:** Nev Nichols from Sydney Trains and Sam Abeydeera.

**The Hon. DANIEL MOOKHEY:** There were three.

**DALE MERRICK:** And Hazel Miller from Transport.

**The Hon. DANIEL MOOKHEY:** At that meeting did you or any other member of the Government say that part of the reason why there is a delay in providing the update on the 18 matters of priority is that the matter is stalled in the ERC or is caught up in ERC processes, or any words to that effect?

**DALE MERRICK:** My recollection is that it was explained that, off the back of the memorandum, the feedback on the 18 items was being considered as part of that process.

**The Hon. DANIEL MOOKHEY:** Okay. So, can you explain to me what that means?

**DALE MERRICK:** It means that, in providing that feedback on the 18 items to the CRU, or the Combined Rail Unions, it was in that part of the process prior to that feedback being provided.

**The Hon. DANIEL MOOKHEY:** Sorry. I do not know what that means.

**DALE MERRICK:** It was being reviewed as part of that memorandum.

**The Hon. DANIEL MOOKHEY:** Okay. So, as a result of that memorandum, the matters now do not have to go to the ERC. Fair?

**DALE MERRICK:** Not as I understand it.

**The Hon. DANIEL MOOKHEY:** Okay.

**ROB SHARP:** He just meant that Minister Tudehope needed to be involved and his team.

**The Hon. DANIEL MOOKHEY:** Okay.

**ROB SHARP:** Formally.



**The Hon. DANIEL MOOKHEY:** Formally?

**ROB SHARP:** Yes.

**The Hon. DANIEL MOOKHEY:** At that point, Minister Tudehope as of last week was not involved, or was not practically, operationally sufficient—or, did that requirement for Minister Tudehope result in a delay in your ability to communicate an update?

**ROB SHARP:** In respect of that communication, I do not know what that particular reference was to. I think clearly, there is a greater interaction occurring with Minister Tudehope and his team and I presume that is the referencing that they are commenting on in that meeting.

**The Hon. DANIEL MOOKHEY:** So, Mr Sharp, who is the decision-maker now from the Government? Can you just take us through, in terms of all the Ministers who are involved in this, who, practically, day to day is responsible now?

**ROB SHARP:** The portfolio Minister for this is Minister Elliott, so he is the go-to.

**The Hon. DANIEL MOOKHEY:** For Sydney Trains, NSW Trains?

**ROB SHARP:** However, obviously Minister Farroway and Minister Tudehope are joined with this. From an approval perspective, anything we are taking up that needs Cabinet approval goes through the ERC process. So the normal process would be to get bargaining parameters approved and we can negotiate within those parameters, but if we are outside those parameters we loop back into Cabinet and that is the process that we work through.

**The Hon. DANIEL MOOKHEY:** So when you say the portfolio Minister in this respect is Minister Elliott, does that cover NSW Trains too?

**ROB SHARP:** It does, and Minister Farroway is the support industrial relations Minister, if you like, because Sydney Trains is part of that portfolio and Minister Tudehope is involved because he obviously wears the industrial relations hat for whole of Government.

**The Hon. DANIEL MOOKHEY:** Okay. Who is attending tomorrow's meeting?

**ROB SHARP:** Tomorrow's meeting is a detailed bargaining meeting. There are about 60 delegates there and they would be the heads of the rail.

**The Hon. DANIEL MOOKHEY:** Who is attending it from the Government—

**ROB SHARP:** The heads of the rail.

**The Hon. DANIEL MOOKHEY:** —side, or the employer's side. Heads of the rail: So it is Mr Merrick. I am sure you are looking forward to that.

**ROB SHARP:** And Mr Longland as well.

**The Hon. DANIEL MOOKHEY:** And Mr Longland as well.

**ROB SHARP:** And, if Mr Collins was here, Mr Collins would be attending as well, but he is away at the moment. He will be back next week. From a broader perspective, there are a number of meetings that would take place, including with senior union executives on a weekly basis as well.

**The Hon. DANIEL MOOKHEY:** Sure. But Minister Tudehope is attending tomorrow, is it not?

**ROB SHARP:** Not that I am aware of.

**The Hon. DANIEL MOOKHEY:** Well, we have had it now stated in at least three separate media interviews that I counted this morning by Minister Elliott that Minister Tudehope is attending, so is Minister Tudehope going, or not going? Or you do not know?

**ROB SHARP:** I am informed he is not going because it is a detailed delegates meeting, which goes for about six hours. It is not a meeting that he would attend.

**The Hon. DANIEL MOOKHEY:** Well, Minister Elliott is quoted as appearing on the John Laws program this morning saying: "We have got the industrial relations Minister, Damien Tudehope, who will meet with the unions tomorrow and obviously I've got further meetings this afternoon that I'll go to over the next 48 hours." That is the first one. Second, he was, earlier on the Fordham program this morning, saying, "Minister Tudehope will be attending", because he is off to Lismore to meet with, rightly of course, homeless veterans who are affected by the floods. So, clearly—

**ROB SHARP:** I suspect you are talking about a different meeting. The delegates meeting that you are referring to is focused on safety and staff welfare for—

**The Hon. DANIEL MOOKHEY:** No. I am talking about the bargaining meeting.

**ROB SHARP:** Yes. That is the bargaining meeting. That is the topic for tomorrow.

**The Hon. DANIEL MOOKHEY:** Okay. So what meeting is that Minister Tudehope going to tomorrow?

**ROB SHARP:** So, I am assuming there is another meeting that they are organising or looking to organise with the unions, which would be not at the detailed bargaining level going through 300 claims. I would not be proposing the Minister to go.

**The Hon. JOHN GRAHAM:** Mr Sharp, you are now speculating that there might be such a meeting. You do not have any knowledge of that meeting?

**ROB SHARP:** No. I asked for clarity because I was confused this morning when you made that comment. And I was told he is not attending the detailed bargaining meeting. That was the question that was raised this morning. I am surmising, based on what you are messaging there, but I would have to circle back to their offices to clarify that.

**The Hon. JOHN GRAHAM:** But are you aware of a specific, another meeting that Minister Tudehope—

**ROB SHARP:** I am not aware of another specific meeting at this point.

**The Hon. DANIEL MOOKHEY:** Mr Merrick, are you aware of a separate or second meeting that is taking place at all tomorrow?

**DALE MERRICK:** The only meeting I am aware of is the next round of enterprise bargaining, which is on at 10.00 a.m. tomorrow.

**The Hon. DANIEL MOOKHEY:** And that is with the 60 delegates?

**DALE MERRICK:** That is correct.

**The Hon. DANIEL MOOKHEY:** And that is attended and chaired by the CRU unions?

**DALE MERRICK:** And the two CEs.

**The Hon. DANIEL MOOKHEY:** And I think the person who is on that counterparty is from Unions NSW.

**DALE MERRICK:** That is correct, yes.

**The Hon. DANIEL MOOKHEY:** And, to the best of your knowledge, Minister Tudehope is not coming to that meeting.

**DALE MERRICK:** I have no knowledge of him attending, no.

**The Hon. DANIEL MOOKHEY:** So there is another mysterious meeting taking place tomorrow that the head of the rail operation does not know about.

**ROB SHARP:** Well, Mr Mookhey, there is a number of meetings that take place with unions at any point in time and Ministers do have meetings with senior union representatives. You would have to ask the Minister as to what meeting he was specifically referring to.

**The Hon. DANIEL MOOKHEY:** Okay.

**ROB SHARP:** But the one that we are aware of, which is the detailed bargaining meeting, he is not attending.

**The Hon. DANIEL MOOKHEY:** I just have one or two more questions on this matter. So, do you now brief Minister Tudehope directly?

**ROB SHARP:** I have had conversations with Minister Tudehope, yes.

**The Hon. DANIEL MOOKHEY:** But is that now routine?

**ROB SHARP:** It is.

**The Hon. DANIEL MOOKHEY:** Okay. So how often are you talking to Minister Tudehope about NSW Trains?

**ROB SHARP:** Probably every second day at the moment.

**The Hon. DANIEL MOOKHEY:** Okay. When was the last time you had a discussion?

**ROB SHARP:** Thirty minutes ago.

**The Hon. DANIEL MOOKHEY:** And did you raise him with whether he was going to the meeting?

**ROB SHARP:** I asked whether he was attending the detailed bargaining meeting and the answer was no.

**The Hon. DANIEL MOOKHEY:** Did you ask him what meeting was attending?

**ROB SHARP:** No, I do not ask that because I was not aware of those comments.

**The Hon. DANIEL MOOKHEY:** Again, Mr Sharp, no criticism of you whatsoever in this respect but you can understand the frustration because we have been told that Minister Tudehope is attending some meeting and no-one seems to know what it is. Do understand that?

**ROB SHARP:** Yes. As I indicated, there are a number of meetings that the Ministers do have and I would not be surprised if there are some senior meetings that may come up. At the moment I am not aware of a meeting that has been organised. The question this morning was around the bargaining meeting, which I was intrigued with because, for a six-hour meeting, you would not typically have a Minister attend. So, that is what I clarified.

**The Hon. DANIEL MOOKHEY:** It depends on how popular the Minister is, I guess. Some people might recommend, but I digress.

**ROB SHARP:** I cannot comment on that, Mr Mookhey.

**The Hon. WES FANG:** I will take that as a comment, Chair.

**The Hon. DANIEL MOOKHEY:** I might pass to my colleague, who might follow up, but we might come back to this matter.

**The Hon. JOHN GRAHAM:** I will just emphasise that matter. I think you can understand the public concern here because commuters are obviously worried about whether they will be able to get in and out of the city. We are struggling to find out whether Minister Elliott's comments about the industrial relations Minister attending a meeting are accurate; whether there is a risk of a shutdown, as Mr Elliott is perhaps suggesting; whether customers will travel for free on this Friday or next Friday or all Fridays. I think you can understand there is some public confusion as commuters try to work out what is going on in their city.

**ROB SHARP:** So in respect of those three items—

**The Hon. WES FANG:** It seems to be more of a beat-up by you guys, but, you know—

**ROB SHARP:** In respect to those three items, and in terms of the Friday free fare, that has been a very recent claim that came up from the unions yesterday.

**The Hon. JOHN GRAHAM:** Yes.

**ROB SHARP:** We are still working through the ramifications and that will actually be not this week but my understanding is that it kicks in on the 25 March, so that will be next Friday.

**The Hon. JOHN GRAHAM:** So that is Friday week, is that?

**ROB SHARP:** Friday week. I know Minister Elliott was in the media today talking about that. In respect to the Monday timetable, we have already communicated with the customers. We have indicated there would be disruptions. We have been very clear on that. We will provide updates. We are still in negotiations with the unions and still talking whether there are options to limit or eliminate that action, but that is in progress. In terms of the meeting of the Minister, you would have to ask the Minister which meeting he was referring to and we have spoken through that.

**The Hon. JOHN GRAHAM:** And I think that is fair, Mr Sharp. I want to return to this issue about the fare-free Fridays, though, because you have tabled the risk assessment. You have given us a clear indication about what the agency view is—that it is tolerable, from a safety point of view—but that is separate to the issue that Minister Elliott is commenting on, which is, as I understand it, but I am asking for clarity, this separate industrial action around fare-free Fridays.

**ROB SHARP:** Correct.

**The Hon. JOHN GRAHAM:** Can you inform us: What is the assessment of that? How long will it take to make that assessment? This seems to be what Minister Elliott is saying may be the thing that tips the system over again and commuters are back on walk-to-work day. Where are we up to on this one?

**ROB SHARP:** No. I do not think that is the case. As I indicated, the risk assessment for Monday does highlight that if it did have an incident on the rail system, there would be potential closures of those lines for a period whilst that gets addressed.

**The Hon. JOHN GRAHAM:** I think you have put that clearly.

**ROB SHARP:** I think that is what he is referring to. The Friday fare is a different issue. We have not completed the assessment. He would not have been referring to that because we have not briefed his office or any of the Ministers on it. That risk assessment is being developed at the moment. It does take a few days to work through all of those. They are quite complex, and you are dealing with complex rostering and other overlays from rolling industrial action. It would be early next week or Friday maybe, or the weekend. I have not got a definitive time, but it does take some time to actually get a final risk assessment.

**The Hon. JOHN GRAHAM:** As a commuter, what is the risk that I will have to walk to work depending on that risk assessment?

**ROB SHARP:** In terms of Monday, we have already indicated to—

**The Hon. JOHN GRAHAM:** I think you are clear on that, but for this separate second issue.

**ROB SHARP:** In terms of the actions that came yesterday, we have flagged to the community that that has been tabled with us and that we are assessing it. We will be regularly communicating to them. As soon as that risk assessment lands, we will be in a position to then flag to the Ministers and to the community what our view on those actions is. But we are still working through that as we speak.

**The Hon. JOHN GRAHAM:** Is there a risk or can you guarantee that it will not mean that services will be significantly disrupted? Can you say that today, or you just cannot without that assessment?

**ROB SHARP:** We are not in a position to comment, no, because the risk assessment is underway. That is a safety risk assessment. But obviously we are prioritising that. It is eight or nine days away. We would prioritise that and at the earliest possible position we would communicate that to the community. We do that as a matter of course. But we are in the process. We only received it yesterday.

**The Hon. JOHN GRAHAM:** I have to confess to being slightly confused on this issue about discount fares for customers because it has been talked about but just not delivered, as far as I can tell.

**ROB SHARP:** The media has certainly talked about it.

**The Hon. JOHN GRAHAM:** Yes, as has the Minister for Regional Transport and Roads when he asked him in the House. I think I asked him in the House and he said he had been briefed by your agency. Nothing has happened. There is no discount that has been issued so far. What can you tell us about this? Will there be a discount?

**ROB SHARP:** That would be a government policy position in terms of whether they put a discount fare out there. I am not in a position to comment on government policy, Mr Graham.

**The Hon. JOHN GRAHAM:** But the Minister said he has been briefed by your agency. I mean, it is clear that you have been briefing on options for the Government. I think it is fair to ask you that.

**ROB SHARP:** Correct.

**The Hon. DANIEL MOOKHEY:** What is the cost of a fare-free Friday each day?

**ROB SHARP:** I would have to take that on notice. It depends on where the coverage of it is and if it is statewide. There are a number of parameters that would drive that type of cost.

**The Hon. DANIEL MOOKHEY:** Have you been asked to model it?

**ROB SHARP:** No, not at this point. But obviously internally we would be looking at it.

**The Hon. DANIEL MOOKHEY:** Sure. You say that Minister Elliott is effectively the lead and Minister Faraway plays a support role, as it applies to both Sydney Trains and NSW Trains. I understood that correctly, did I, Secretary?

**ROB SHARP:** That is my understanding of the delineation, yes.

**The Hon. DANIEL MOOKHEY:** That is insofar as the portfolio aspect of it and, of course, Minister Tudehope is in respect to the industrial relations aspect of it.

**ROB SHARP:** Yes.

**The Hon. DANIEL MOOKHEY:** Fair. Can you take us through when you have briefed Minister Elliott since you received the notification on 10 March in respect to the actions affecting NSW Trains?

**ROB SHARP:** There have been almost daily communications with his chief of staff. I have had probably three or four discussions with Minister Elliott specifically as well.

**The Hon. DANIEL MOOKHEY:** You have briefed him on what, precisely?

**ROB SHARP:** A number of items. The 18 items that the CRU was keen to get a response on and also the upcoming risk assessments. We were developing an initial risk assessment on the Sunday. As we went through the week, we were providing updates on where we saw that heading and then, obviously, options in terms of what we could do to either mitigate, discuss with the unions on mitigations or broader industrial strategies that would come off the back of it. So it is quite broad ranging over the last week.

**The Hon. DANIEL MOOKHEY:** What are the broader options that you could do to mitigate impact?

**ROB SHARP:** The options relate to whether there is ability to talk to the unions about conciliation, effectively. Are there trade-offs? It is also understanding exactly how they are going to apply those. When you read a particular industrial instrument, it can be interpreted in a number of ways. We look to understand the practicalities on the day and how members are going to apply that. The risk assessment does take into account how these actually get applied on the day, by the members on the network.

**The Hon. DANIEL MOOKHEY:** What are the industrial strategies that you might otherwise pursue? The second part of what you briefed Minister Elliott on.

**ROB SHARP:** That is really around, you know, do you go to the Fair Work Commission? Do you meet the relevant hurdles? The typical parameters, Mr Mookhey, that you would expect us to look at.

**The Hon. DANIEL MOOKHEY:** What is your decision-making time line on those options?

**ROB SHARP:** It is a live environment. We are still working through those at the moment.

**The Hon. DANIEL MOOKHEY:** The actions are starting on Monday. Is it the case that because you have deemed it as tolerable risk, you are unlikely to go to Fair Work and seek relief?

**ROB SHARP:** The Fair Work decision is not linked to that. It is linked to hurdles in terms of whether you can mount a case to attend the Fair Work Commission. So it is not the reverse.

**The Hon. DANIEL MOOKHEY:** Indeed. You have provided these briefings to Minister Elliott and Minister Faraway as well?

**ROB SHARP:** Yes, Minister Faraway as well as Minister Tudehope.

**The Hon. DANIEL MOOKHEY:** Mr Secretary, forgive me, again, if I am inviting you to cover ground you have covered, but I am still quite confused about who exactly is the decision-maker when it comes to these industrial negotiations. Is it Minister Elliott, is it Minister Tudehope or is it both?

**ROB SHARP:** From my perspective, it is Minister Elliott. We have Minister Tudehope in there. He obviously brings expertise in industrial relations across whole of government. There is Minister Faraway because of the implications for NSW Trains. Decisions, though, if there are bargaining parameters, sit within that group. But the bargaining parameters are actually approved by the ERC. So there is effectively an approval that takes place with whole of government that the Ministers act within.

**The Hon. DANIEL MOOKHEY:** I am just about to pass to my colleagues but you have just prompted me to ask: Under the wages policy, the bargaining parameters have to be set before the bargaining commences. That is correct, is it not?

**ROB SHARP:** Correct.

**The Hon. DANIEL MOOKHEY:** The agreement expired in May 2021. That is correct?

**ROB SHARP:** Correct.

**The Hon. DANIEL MOOKHEY:** So the original parameters that you are referring to were set before May 2021?



**ROB SHARP:** The original parameters? What I am talking about is that there are a number of ERC meetings that have been held.

**The Hon. DANIEL MOOKHEY:** You have got the ability to update them, do you not?

**ROB SHARP:** Correct, yes. I have had several ERC discussions and presentations on this matter over the period since April last year.

**The Hon. DANIEL MOOKHEY:** Sure. Have there been any updates to the parameters in recent times?

**ROB SHARP:** Yes.

**The Hon. DANIEL MOOKHEY:** Has that been undertaken since 21 February?

**ROB SHARP:** I would have to go back and check the exact dates, but there have been a number of meetings. I obviously cannot talk in detail about them because they are Cabinet in confidence.

**The Hon. DANIEL MOOKHEY:** To be fair, I am being sensitive to that issue.

**ROB SHARP:** Thank you.

**The Hon. DANIEL MOOKHEY:** But the whole point is that the only way in which you are in a position to reply to the 18 items tomorrow is if somehow you deem them to fall within the parameters of the ERC's existing approvals or the ERC has adjusted their approvals.

**ROB SHARP:** I have bargaining parameters, which I am working within.

**The Hon. DANIEL MOOKHEY:** But this is the issue which has been reported to us, that there is an element of frustration on your counterparties side as to whether or not the Government is actually—

**The Hon. WES FANG:** Put to you by who?

**The Hon. DANIEL MOOKHEY:** The way I would put it is whether or not you and your agencies are actually in a position to bargain because whether or not those positions have been stalled within the Government.

**ROB SHARP:** There would be periods, Mr Mookhey, where I could understand that frustration because there is a process. I have spoken to the senior members of some of the unions that there are periods where they have got to bear with me as we get the Ministers together and have the ERC meeting and then round back. But we have committed to expedite that process. We are keen to continue to bargain in good faith. We have been talking with the Ministers about how we streamline that as much as possible, but still allow for the Government to have the decisions and for us to document those and ensure we are bargaining within those frameworks.

**The Hon. DANIEL MOOKHEY:** There seems to be a pattern here, just by observing when and how these bargaining meetings are taking place. They only seem to take place after the unions notify an action and then the Government responds, as opposed to what the good faith bargaining system is meant—

**ROB SHARP:** I disagree with the premise. There have been 30 or 35 bargaining meetings. I have had eight or nine meetings myself in the last probably three months. There are actually numerous meetings that have been taking place. I do not believe that pattern is there. There is certainly a pattern where if certain things come up, we need to go back to the ERC. That is a natural part of any government process.

**The Hon. DANIEL MOOKHEY:** Particularly as you get closer to resolving the dispute. That is to be expected.

**ROB SHARP:** Exactly.

**The Hon. DANIEL MOOKHEY:** Again, I accept last year—we have provided you now multiple instances in which the unions have requested meetings and they do not get replies. They get invited to meetings, but they are not told about when they are meant to be happening. We have heard from you previously that there was a commitment to provide them with updates beforehand, but we have now learned that they are not going to be given one until tomorrow. All of which is by the by and fine in the course of an industrial dispute, except for the fact that the public is being affected so deeply. It is a pertinent question as to whether or not the Government is bargaining in good faith.

**ROB SHARP:** I am absolutely of the view that the Government is bargaining in good faith. As I indicated, we can always improve the processes, Mr Mookhey, and we are actively taking on board feedback. Likewise, we also need our counterparties to come to the party as well.

**The Hon. DANIEL MOOKHEY:** Yes, absolutely you do.

**ROB SHARP:** "Two to tango" is the saying, and that is the reality. I am of the view that we are wanting to bargain in good faith, but we need to get everyone around the table to continue that process. We are doing our part to try to expedite that. I agree with you, the travelling public wants both parties to reach an agreement where we can get back to running a network.

**The Hon. JOHN GRAHAM:** Mr Sharp, on that question about who is in charge, I can see that your answer is broadly consistent with our understanding. It is consistent with the wages policy but different to the position that Minister Faraway was putting this morning, where he did not really feel that he was in charge in the way that you have just described partially or wholly.

**ROB SHARP:** Minister Faraway this morning specifically said that he was a supporting industrial relations Minister, and I see that as being the case. So I did not see an inconsistency there.

**The Hon. JOHN GRAHAM:** Mr Fuller, I want to go to that discussion that occurred on Sunday 20 February. We have taken quite detailed evidence. I think a lot of things are clear about the time line thanks to Transport officials laying out what has occurred. I think that is now largely settled. It is disputed, in part by Minister Elliott, but largely on the public record and certainly settled from the point of view of large parts of the Committee. The one thing that I did want to ask you about was that discussion where you, I think, briefed Minister Faraway's chief of staff. The description of other officials was when you returned, they were left in no doubt that the decision that had already been made had been communicated to your Minister's office. Perhaps you could tell us what you briefed the Minister's chief of staff about?

**MATT FULLER:** You heard this morning that the Minister concurs with that, and I certainly concur with my fellow colleagues. The discussion that I had with Minister Faraway's chief of staff was very specific to a number of matters, and they included that we would be needing to have a closed network and that would obviously significantly impact NSW Trains. As Minister Faraway pointed out this morning, where possible we would try to replace those services with busing and coaching. I also pointed out the fact that we were assessing the impacts to the regional fleet, but we considered those to be minimal or not unlike what we had experienced for some weeks prior, not just in terms of industrial relation impacts but also COVID illness, and obviously in the last few weeks we have had other serious impacts. I did state that the expectation is that the regional services would be less impacted and that we would go on with coach replacements, as we had done. I also specifically asked Minister Faraway's chief of staff whether they were of the understanding that they needed to approve the communications and media that would go out and come across to the office later that evening, to which Minister Faraway's chief of staff articulated that they would play a support role. So they did not need to approve but wanted that full information.

**The Hon. JOHN GRAHAM:** Yes, understood. Essentially, as I understand it from that description, you agree with your fellow Transport officials that the decision had been made earlier in that meeting sometime between 9.30 p.m. and 11.15 p.m. that this was not safe to operate. The impression was given to others, but you agree with the impression, that in your discussion you conveyed that idea that this would be a closed network. There were some caveats about some services but this was a closed network. Do you agree with those two things that the other Transport officials have put to us?

**MATT FULLER:** I agree with that premise, yes.

**The Hon. DANIEL MOOKHEY:** To be clear, Mr Fuller, there were two exchanges that you had that night with the chief of staff, were there not? The first was a text message exchange, which has been tabled, which is a 10.43 p.m. text message.

**MATT FULLER:** Yes.

**The Hon. DANIEL MOOKHEY:** And that phone conversation that you are referring to is the 11.12 p.m. or the 11.13 p.m. conversation, is it not?

**MATT FULLER:** Correct.

**The Hon. JOHN GRAHAM:** The text message to the Minister's chief of staff and the Minister.

**The Hon. DANIEL MOOKHEY:** The chief of staff and the Minister as well, yes? That was at 10.43 p.m.?

**MATT FULLER:** Correct.

**The Hon. DANIEL MOOKHEY:** Then at 11.13 p.m., or thereabouts, there was a conversation with the chief of staff, correct?

**MATT FULLER:** That is right.

**The Hon. DANIEL MOOKHEY:** To be clear, prior to you initiating the text message at 10.43 p.m., you were on the Teams call?

**MATT FULLER:** Correct.

**The Hon. DANIEL MOOKHEY:** And one of the outcomes of that Teams call was a decision for you, as deputy secretary responsible for regional and outer metropolitan, to brief Minister Farraway?

**MATT FULLER:** Correct.

**The Hon. DANIEL MOOKHEY:** At the same time you were on the call your counterpart in Sydney, which was Deputy Secretary Bourke-O'Neil, was tasked with briefing Minister Elliott's office?

**MATT FULLER:** That was my understanding, yes.

**The Hon. DANIEL MOOKHEY:** According to the chronology, you texted Minister Farraway and Minister Farraway's chief of staff at exactly the same time that Ms Bourke-O'Neil was communicating with Minister Elliott's chief of staff. The two times are exact, actually. You sent the text messages at exactly the same time Transport is reporting. Is that your understanding as well?

**MATT FULLER:** It is, and the reason that is my understanding is because we were actually on a joint call at the time and we both ducked out at the concurrent time.

**The Hon. JOHN GRAHAM:** Yes, which makes sense.

**The Hon. DANIEL MOOKHEY:** Then it is the case—comparing the text message that is reported as from Minister Elliott's chief of staff having been forwarded to, I think, the Minister at 10.51 p.m., that is Minister Elliott—that there is some similarity in the language between what you are reporting and what Ms Bourke-O'Neil texted the chief of staff, that is, that there needs to be a "massive disruption"—that is the term used in this text message—and you are saying that you need to speak urgently. Was it the case that that was the message that you were both asked to communicate? Is that correct?

**MATT FULLER:** We were both pretty clear on the disruption that was about to take place, yes.

**The Hon. DANIEL MOOKHEY:** So you texted the Ministers at the time. I presume you were still on the Teams call at the same time when you sent the text at 10.43 p.m.?

**MATT FULLER:** Correct.

**The Hon. DANIEL MOOKHEY:** Then at 11.12 p.m. and 11.13 p.m. both you and Ms Bourke-O'Neil leave the meetings to do the phone call. That is correct?

**MATT FULLER:** Yes, I think that is correct. From recollection we left that call and regrouped after.

**The Hon. DANIEL MOOKHEY:** To be fair, I think that, equally, the evidence that was provided to us by the Minister's chief of staff was that that conversation between Ms Bourke-O'Neil and Minister Elliott's chief of staff takes place around 11.12 p.m. and you are taking the same call at 11.13 p.m. That is correct?

**MATT FULLER:** I can certainly confirm that my call was at 11.13 p.m., yes.

**The Hon. DANIEL MOOKHEY:** We have heard evidence that the other call was at 11.12 p.m., so both of you are off at the same time. Was your conversation with Minister Farraway's chief of staff particularly long?

**MATT FULLER:** I would not say it was long, no. It was a few minutes.

**The Hon. DANIEL MOOKHEY:** You returned to the Teams call after that, did you not?

**MATT FULLER:** I would have to check back, but I am pretty sure. I do not know whether it was immediate but there were certainly further discussions beyond that time, yes.

**The Hon. DANIEL MOOKHEY:** And you reported back that you had provided the information to Minister Farraway's office, as requested?

**MATT FULLER:** Correct.

**The Hon. DANIEL MOOKHEY:** To be clear, you clearly communicated—I think the term you used was "the network would have to close"?

**MATT FULLER:** Yes, that is my recollection.

**The Hon. DANIEL MOOKHEY:** And by "close" you mean "not operate", yes?

**MATT FULLER:** Correct.

**The Hon. DANIEL MOOKHEY:** So there is no ambiguity whatsoever that they are the communications that you provided to Minister Farraway's office.

**MATT FULLER:** On my part.

**The Hon. DANIEL MOOKHEY:** And you reported back that you had provided that communication?

**MATT FULLER:** Correct.

**The Hon. DANIEL MOOKHEY:** And when you heard Ms Bourke-O'Neil provide her feedback, she also indicated that she had provided information to Minister Elliott?

**MATT FULLER:** My understanding was that she provided communication to Minister Elliott's office, but clearly I was not in that conversation.

**The Hon. DANIEL MOOKHEY:** Of course. Mr Sharp, I will return to the question of the Tudehope meeting tomorrow. It is not related to rail, is it?

**ROB SHARP:** I do not know; you would have to ask Mr Tudehope. You are asking me to comment on a public comment that someone else has made, and I have not spoken to him about it.

**The Hon. DANIEL MOOKHEY:** I have been advised that the meeting is not about rail whatsoever and is, in fact, simply an introductory meeting upon the Minister's appointment as Minister for Employee Relations with various people from Unions NSW.

**ROB SHARP:** That is still a meeting with the unions, but I presume that is where the media commentary has come from.

**The Hon. DANIEL MOOKHEY:** Have you been asked to provide any support, advice or any indication, even in a briefing note, to Minister Tudehope ahead of the meeting tomorrow?

**ROB SHARP:** No. What we have done, though, is had regular conversations over the past probably 10 days, so he is intimately across the industrial agenda.

**The Hon. DANIEL MOOKHEY:** Of course, yes. But you have not been specifically asked by Minister Tudehope to provide any assistance ahead of any meeting he might be having tomorrow?

**ROB SHARP:** No, I have not.

**The Hon. DANIEL MOOKHEY:** Mr Merrick, I presume you have not either?

**DALE MERRICK:** That is correct.

**The Hon. JOHN GRAHAM:** Mr Sharp, I might turn to another issue. It was one that I—

**The Hon. DANIEL MOOKHEY:** Actually, before you do we might go to the crossbench.

**Mr JUSTIN FIELD:** You can proceed if you want. I am just here for a bit.

**The Hon. DANIEL MOOKHEY:** Yes, we may as well. You are here.

**The Hon. JOHN GRAHAM:** Having made an entrance like that.

**The Hon. DANIEL MOOKHEY:** It is good to see you are on time.

**Mr JUSTIN FIELD:** As a participating member of this inquiry, I am glad to see my other crossbench colleagues are engaged in regional transport issues. Where is the Shooters, Fishers and Farmers Party? They are from the regional areas, are they not?

**The Hon. DANIEL MOOKHEY:** Your 20 minutes commences now, Mr Field.

**Mr JUSTIN FIELD:** Thank you, Chair. Possibly some of these will be for Mr Hayes, I expect, but I am happy for you to direct as you see fit, Mr Sharp. I want to get into a little bit of detail around where the Milton-Ulladulla bypass is up to. I think there was a mention that we are about to move into additional consultation. Could you explain to me what you think the time line is for this project going forward?

**ROB SHARP:** I will pass to Mr Hayes.

**ANTHONY HAYES:** Thank you for the question. I will start by perhaps giving a broader answer than just the specific projects, because you mentioned this morning that it is being done as a number of separate projects. There is an overarching strategy for the entirety of the Princes Highway upgrade, but you are correct in

that we are then viewing each of the different projects individually. The reason we need to do that is because we are, I think, more focused now than we have ever been before on trying to get the community engagement right. All along the Princes Highway there is a number of communities who all need to be engaged effectively. They all have different priorities and different needs, and even within those communities it is obviously not one view. There is a variety of views within the community.

Overlaying that, we also have to take into account our responsibilities, from making sure that we are making decisions that improve safety, that we are getting our environmental responsibilities right, that we are thinking about Aboriginal cultural heritage—there is a long list of responsibilities that we need to do. But a very important part of the starting point for that is that we need to do more community consultation than in the past. I believe we are doing that and I think we are doing it quite effectively, but what it does mean is there is then a lot of positive feedback and a lot of negative feedback. We then need to work our way through that.

Specifically with regard to some of the questions that you asked about Moruya, the Minister has asked us to go back out and do more consultation and we will be starting that shortly. That has not started yet but we are about to. With Burrill Lake, importantly, no decision has been made about the southern end of the Milton-Ulladulla bypass. We are still working our way through that. The next formal part of that process is that the Burrill Lake co-design committee provided an enormous amount of feedback and we are now working our way through that feedback. There will be a formal response to that co-design committee feedback.

**Mr JUSTIN FIELD:** The majority of the members of that co-design committee resigned.

**ANTHONY HAYES:** Six. It certainly was not the majority, but six people resigned.

**Mr JUSTIN FIELD:** How many members were there?

**ANTHONY HAYES:** I would need to check, but I believe it was 15 to 20 or something like that.

**Mr JUSTIN FIELD:** Okay. A substantial number resigned—

**ANTHONY HAYES:** Yes.

**Mr JUSTIN FIELD:** —and were very critical of the process, including—and certainly I am sure these allegations have come to you as well—but that minutes were written in a way that were not agreed to; were contested; reflected what they saw as Transport for NSW's position on issues and not concerns that were raised by certain members of that co-design committee; and that various documents have not been put online at all, some not in a timely way, and some with context that represents one particular view and not the diverse views around the discussions in that committee.

Obviously, I have concerns, as I raised this morning, about the secrecy: the fact that you have got community consultative bodies of any sort that are, ideally, there representing the views of the community but they cannot even talk about the discussions. I get the challenge of creating a process to go through these complex issues where there will be people who are passionately for and against, but to some degree we have got to trust the community. What is the time line now to actually get from where we are to ultimately a decision on the detail of the project before you actually start construction? What does that look like?

**ANTHONY HAYES:** There are a couple of really important questions in amongst that. The first one, I agree: I am not sure asking people to sign confidentiality deeds is particularly helpful and that is probably a good learning for us as we go forward. I get why it was done. It was to make sure that people could speak openly in those meetings without fear that they were going to get quoted outside.

**Mr JUSTIN FIELD:** Sure.

**ANTHONY HAYES:** But having said that, I think that is something we should have a look at. All of the minutes for those meetings were published publicly. Again, that is a good learning; they probably could have been done more quickly and that led to some discontent amongst some of the members. I acknowledge that as well. It is a really tricky one, this one, because when we initially went out and did public consultation we had 2,500 pieces of feedback, a lot of it very positive from the Milton-Ulladulla communities and obviously some of it not very positive from the Burrill Lake community and surrounds. Again, it is trying to find that right answer. You are not necessarily ever going to keep everyone happy but there are all of the other responsibilities in terms of environmental, safety and all of the other aspects I mentioned. It is putting all of that together and trying to find the right answer. At the moment we have not landed on a final answer for that southern end of the bypass and we are still working our way towards finding the right answer.

**Mr JUSTIN FIELD:** I pick up on your point. I guess you challenge, to a degree, my concern that there is not this overall strategic plan in place. I get that. I am sure the roads are going to connect. I get that you are doing that. But the point is that with this road development—and I am talking about Burrill Lake, but also



Wandandian is another good example—the decisions that are being made about where that road will go and the nature of its juncture with existing roads is actually determining the future of these villages. You are making a decision by choosing to bypass Wandandian, for example, and put a 1.3-kilometre bridge over the wetland that it is going to be a bypassed community. That is going to change the nature of all of those businesses along there. If Burrill Lake ultimately has a four-lane, 100-kilometre-per-hour road literally through the middle of it, you are making a decision about the future of that community.

I am wondering where the strategic thinking is that is engaged with community, with council, with local members and Federal members about "Let's make a decision about what we want for these communities in the future first and we will design the infrastructure then to deliver against that." I know that is not necessarily your job. That is why I was challenging the Minister about this lack of strategic thinking about billions of dollars of investment across the whole region. What is the actual strategic plan for the region? I am not sure that your answer addresses that. What is the time line from here for—let's just deal with Milton-Ulladulla bypass in the first instance.

**ANTHONY HAYES:** I do not have a final time line yet. The next step in the process, as I said, is to formally respond to the co-design committee and put that back out for consultation. After that we will need to again reassess the feedback that comes back in and make a final recommendation for the Minister to decide on a way forward.

**Mr JUSTIN FIELD:** Is there any willingness to open up the—

**GILLIAN GERAGHTY:** Sorry, can I add to that?

**Mr JUSTIN FIELD:** Sure.

**GILLIAN GERAGHTY:** I am chief development officer, so I work with Ant on this project. We are required to do a planning approval for the Milton-Ulladulla bypass. The final approval of the route would go with the Department of Planning and Environment. There is quite a process involved in considering the consultation and any other factors as part of design of the Milton-Ulladulla bypass. It is certainly not a—

**Mr JUSTIN FIELD:** But once a detailed planning process starts, the route that you are basing your planning proposal on and the EIS is largely set. If there is still a question mark in the minds of the community about the initial decision for a preferred route, it is not really dealt with through the planning process.

**ANTHONY HAYES:** If I may step in there, the planning process is, again, a very broad discussion. We work closely with the Department of Planning and Environment and they have very clear plans for all of New South Wales. We have our Transport 2056, which clearly is a very important strategic document that provides guidance for us at a very high level, and then underneath that there are additional planning documents that help us to look at the Illawarra-Shoalhaven plan, for example, the plans we are launching in Newcastle, Hunter et cetera. It is not just simply sitting down and saying, "Let's design a road." It is part of a much broader strategic direction that has been set by Mr Sharp, by the deputy secretary and others and the Government, recommending to the Government. There is a broad strategy there, but then obviously it comes down to those individual communities and making sure that we are listening to them as we go.

**Mr JUSTIN FIELD:** What has been put to me is that I think the 2006 or 2004 LEP route down there for the Milton-Ulladulla bypass was not really put there with it being a bypass in mind but largely sort of a regional arterial route for local traffic primarily. Now it is being referred to as a Milton-Ulladulla bypass that is largely designed to deal with the increasing amount of traffic that is passing through the region. It has been a long time since it was initially put on the books and I wonder whether or not we have gone back and looked at whether we are delivering against that intention or have things changed so substantially in population size and the like that we need to revisit this. Is there a willingness to go back and have a look at the route and the purpose of that road? Because a lot of people feel like you are going to have to come back and deal with this later when it comes to Burrill Lake and Tabourie as part of the bigger, longer term—all the way to the border—redevelopment of that road.

**ANTHONY HAYES:** It may be more appropriate if Mr Sharp or Mr Fuller want to respond to that one.

**Mr JUSTIN FIELD:** I am happy for you to do that, Mr Sharp.

**ANTHONY HAYES:** I feel like the actions that we are taking at the moment are part of a pretty clear strategy that has been put in place that we as a team are implementing.

**GILLIAN GERAGHTY:** I think it is very much part of a robust planning process. We have not assumed anything historically. We have considered a bunch of factors as part of our planning to date.

**Mr JUSTIN FIELD:** It sounds like, though, you are locked into that corridor then for the Milton-Ulladulla bypass. It is really a question of the intersection at Burrill Lake.

**ANTHONY HAYES:** Again, at a very high level, there was a very clear strategy to build an appropriate access heading north, which was the Pacific Highway. There are a number of strategies to take Sydney heading south to the Victorian border and there are also a number of strategies looking at how we open up western New South Wales looking at east-west connections. It is, again, part of a broader strategy to make sure that we are connecting the State more effectively.

**Mr JUSTIN FIELD:** Is there another little coastal village anywhere along the northern corridor that has been developed or your plans for the south that will be intersected by the major highway once it is fully developed? There is not, right? It is a tiny little village right on the coast.

**ANTHONY HAYES:** I do not want to sound like I am avoiding the question, but that was actually what the co-design committee was set up to do—to help work with us. We had identified what we believed was the preferred corridor and we brought a number of key decision-makers from the Burrill Lake community to come together to help us to talk about the best way to hook back into the highway, so that it would be the most effective result for that local community.

**Mr JUSTIN FIELD:** I think the hook in of the highway is one thing; it is then getting across the water. Kids jump off that bridge—and maybe they should not but they do—and it is amazing and they fish right at the edge there. The idea of 100 kay an hour traffic, even if it is just two lanes, but I am sure it is planned to be four lanes, will change the nature of that village. I know the alternatives are difficult too. I am very focused on environmental risks associated with infrastructure, but I do not think you are asking another community anywhere either north or south of the development of our major highway to have what is going to ultimately be proposed for Burrill Lake. Am I wrong in that?

**ANTHONY HAYES:** Again, I would stress that no decision has been made and, as you just said, a number of the committee members were proposing a route that went considerably further west, which has significant environmental challenges attached to it. It is trying to find an answer that suits everyone.

**Mr JUSTIN FIELD:** Unless you wanted to add something, Mr Sharp, I am happy to move up the road a bit.

**ROB SHARP:** The only comment I would make is I can confirm there is a broader strategy and it is around connecting cities. The question is, it is very easy to put a line on a map, and you have well articulated the local community concerns there. There are other areas. With the Great Western Highway we are having similar conversations about small villages and heritage areas. If you put a massive road through them, the nature of those change. Appin village is another one where I see very similar challenges. It is a vexed issue because if you are going to take a long-term view and put those bigger connections in, how do you balance those trade-offs? That is the conversation. What we have committed to is actually engaging. The Minister is happy to meet with you and other members down there to get specific feedback and we can commit to having that dialogue. I think the bookends have been well articulated today.

**Mr JUSTIN FIELD:** I appreciate that. Moving up the road a bit to the JB road to Sussex project, it had the same challenges that I think you had at Moruya in terms of the consultation really being done within that window of COVID disruption. I just wondered whether or not what has been offered to the Moruya community is on the table for the communities of Falls Creek, Tomerong, Bewong, Wandandian and Sussex—even though they are not directly impacted—let alone that a preferred corridor is picked. The corridor challenges are pretty limited there; you are largely following the existing corridor. But what happens around Bewong and Wandandian, there are substantially different options. It does appear to some that you really have picked one option that is ultimately related to buildability compared to the environmental risks there and making a decision to bypass the town, which, given the nature of the businesses there, will have a substantial impact. I do not feel like they have been engaged in the way that would be reasonable for that decision to have been taken in the way that it has. That is a long preamble to: Are you open to reopening the consultation around that so that the community can actually be engaged from the start of this process?

**ANTHONY HAYES:** Yes. The proposal at this stage is stage one, which we have not even announced yet. It will be a relatively small stage from the north which allows us more than adequate time to continue to consult with the local community about what comes further down.

**Mr JUSTIN FIELD:** Have you got any time lines in mind for that?

**ANTHONY HAYES:** No, nothing at this stage.

**Mr JUSTIN FIELD:** In terms of the broader Princes Highway upgrade, you must have some really broad dates in mind that you would like to be ideally constructing in Ulladulla by a certain year, that JB road to Sussex by a certain year. Do you have those or are you not prepared to put even a year on it?

**ANTHONY HAYES:** I think more importantly is getting it right. It is better to make sure that we land on the right place, and, of course, we are trying to do it as quickly as possible, which answers your question of why did we keep doing consultation during COVID—because we wanted to keep moving. We did not know how long that was going to slow us down. We did the best we could. We did online seminars. We invited people to phone us. We invited people to send us letters and emails et cetera—again, as much consultation as we could. But certainly now that we can do more face to face, we would be happy to do so.

**Mr JUSTIN FIELD:** If I could go north again, we will just come back to the Nowra bypass idea. I think you, Mr Hayes, mentioned that there had been a body of work done to have a look at that, I guess, in principle or at a pretty high level. Can you articulate the nature of that work that was done and when it was done?

**ANTHONY HAYES:** Again before my time, but my understanding was it was part of the broader discussion about the Princes Highway upgrade, and the analysis that was done basically said that the bridge will provide enormous benefit to the community. But 85 per cent of the traffic congestion was locals moving around and a bypass was unlikely to alleviate the congestion and, therefore, it was not a priority to do that as part of the overall work.

**Mr JUSTIN FIELD:** I assume that that is outside of the peak holiday period because there is a reason that you are building an interchange at JB Road and bypasses at Milton-Ulladulla because we know that quite a bit of that traffic is not local traffic. They are coming from somewhere, and I assume they have come through Nowra because it is hard to get to JB without going through Nowra. That is only part of the story. You have lots of local members, including some quite well-known candidates for Federal elections, who are talking about this project as if it is sort of on the cards. When was that work done? How long ago was that work done?

**ANTHONY HAYES:** I honestly do not know, I am sorry. I would have to find out. Ms Geraghty might know.

**GILLIAN GERAGHTY:** No, I am not aware of any formal studies that were done.

**ROB SHARP:** The only one that I am aware of is there was an Illawarra-Shoalhaven Regional Transport Plan, which I believe was last year. That did consider some of the congestion around that area, but that is the only one I am aware of at the moment.

**Mr JUSTIN FIELD:** I want to look a bit more into the biodiversity and also the wildlife corridors, so we might do that in the next round.

**The Hon. JOHN GRAHAM:** I might turn to some of those issues we were exploring with the Minister. The first of those is the existing state—before the current situation over the last couple of weeks—of roads in regional New South Wales. Those figures from the assets and services plan are quite striking: 77 per cent of road pavements exceeding their design life and 2,000km, or 11.7 per cent, of State roads rated as poor or very poor. Those figures, Mr Sharp, are from the plan that was signed off at the end of 2020. Could you give us an update about the new figures for the 2021 plan, acknowledging that we have had the last couple of weeks that has then come over the top of that?

**ROB SHARP:** Yes. There have been quite considerable challenges because we do have a road network that covers a very large expanse of New South Wales. The asset management plans are the tool we use to monitor, and you will see that is where a lot of our commentary comes from around the condition of assets. That then drives where we prioritise our budget. We are just going through that now for future years. There is an overlay in that there have been quite specific investments, which the Minister referred to. We have had Fixing Country Roads, Fixing Country Bridges. We did pull forward quite a few projects for stimulus off the back of COVID and so those have been occurring. There has also been quite a lot of investment in new infrastructure. But if you are looking at regional roads overall, the backlog is about 4 per cent. When I say 4 per cent, that is of the asset value and that has been quite stable for regions. Whilst the condition of some of those roads is poor, they are not unsafe.

I did want to actually just call you out on a comment you made this morning. Any unsafe areas get prioritised and we monitor those and we address those. That is fundamental to what we do. However, the condition of those can impact on reliability and could have some impacts on the nature of the commute that our country region users have on those facilities, and we acknowledge that. But the reality is that at a really macro level, the numbers I am seeing have been stable. That does not mean that we cannot improve, and that is why the investment is in those new pieces of infrastructure.

**The Hon. JOHN GRAHAM:** Without getting into the argument, I just want to say I was relying for those comments on some of the observations in the assets and services plan about safety, which are more about the long-term targets. I think that is probably a fair way to put it, in the way your agency put it.

**ROB SHARP:** In terms of acceleration, there was about \$100 million of works that we had accelerated off the back of COVID and addressing those issues.

**The Hon. JOHN GRAHAM:** Can I ask you these specifics, though. Can you give us an update on the percentage of road pavements in regional and outer metropolitan New South Wales that now exceed their design life of 20 years?

**ROB SHARP:** I would have to take that on notice in terms of specifics. Are you after the percentage?

**The Hon. JOHN GRAHAM:** Yes. You have given us, helpfully, the percentage at the end of 2020. I am asking for an update one year on.

**ROB SHARP:** We will take that on notice and come back to you on it.

**The Hon. JOHN GRAHAM:** These were the figures that you have given us—and you might want to take all of these on notice—the percentage over the design life of 20 years for regional and outer metropolitan roads, the percentage over the 40-year time frame and then the percentage of State roads rated as poor or very poor, each of which you have provided publicly in other forums.

**ROB SHARP:** Happy to do so. I would add the comment that in terms of asset condition, that is a primary focus for me. So, poor, very poor. Very poor we absolutely focus in on and look at what the safety implications are. Asset life is an interesting one because an asset life is a design life. It depends on your maintenance and the conditions—the climate, the weather, all sorts of things that have impacted. One thing I am aware of on the South Coast in particular with the bushfires and the floods that have occurred is that the road conditions have deteriorated. So when we do the next condition report, I am expecting we will see the road infrastructure ratings come down. That will then drive more investment, and clearly that is going to be needed into that area.

**The Hon. JOHN GRAHAM:** Precisely why I am asking. The other figure I will ask for is what was described as the \$805 million regional and outer metropolitan road funding shortfall. Could you update that figure as well?

**ROB SHARP:** That is the Restart?

**The Hon. JOHN GRAHAM:** No. This is from the assets and services plan.

**ROB SHARP:** Yes, okay.

**The Hon. JOHN GRAHAM:** So, simply an update of that figure.

**ROB SHARP:** Yes.

**The Hon. JOHN GRAHAM:** As you have made the point just then, bushfires, floods—including this most recent couple of weeks, which has been devastating to assets in a lot of these communities—I did want to give you the opportunity to provide some more detail. I took the Minister's point today when we were asking about what claim are we putting in for insurance and what do we know about how much damage might have occurred. It will not be definitive; we are days away from this having occurred. It has clearly been very substantial in some of these communities, and I would expect that the agency can give us some sense of the scale of the damage that has just happened to the regional road network. I would like to ask you to do that.

**ROB SHARP:** Yes. It is very challenging.

**The Hon. JOHN GRAHAM:** How does it compare? You know these assets well as an agency. How does it compare, what has just happened, and how big might the clean-up bill be?

**ROB SHARP:** To give you a sense of the scale of it, we are talking 18,000 kilometres of roads. We are only a number of days after the events, and they have been quite widespread. To actually understand what those major implications are is not quick. Even just in the metropolitan area, on potholes, we have commissioned an audit and it will probably take a week or two to actually go around the 3,000 or 4,000 kilometres of metro roads to find out what the pothole audit is. So we are in that process. As Mr Fuller indicated earlier, we have allocated a lot of resources into ascertaining that and we are working very closely with the councils because it is not just State roads, clearly.

**The Hon. JOHN GRAHAM:** Yes, agreed.

**ROB SHARP:** So we are just not in a position at the moment to pick a number out of the air. We are literally not. In terms of priority, we are prioritising that because clearly that is going to drive our next stage, which is where we—

**The Hon. JOHN GRAHAM:** I will stop you there briefly. I do not expect you to pick a number but I do expect you to give us some sense of the scale in more detail. I do not think you would be doing your job if you were not able as an agency to say something more specific than what you have put just now.

**ROB SHARP:** We are happy to come back and paint that picture. Happy to do that. We will provide the detail that we have and, clearly, as I think I mentioned with the insurance, there were 48 items that had already been flagged. We can describe those conditions and what we are seeing. But there are still areas we have not even been able to access.

**The Hon. DANIEL MOOKHEY:** Can I ask one follow-up. I understand the cost dimension; the other dimension is the time taken. How long do you think it is going to take to repair as well? Obviously I presume you will be prioritising the most critical of repairs and working your way up.

**ROB SHARP:** Correct.

**The Hon. DANIEL MOOKHEY:** Do you have an indication of what we are looking at? Is it going to be a year, two years, three years—what do you think?

**ROB SHARP:** It is clearly going to be an extended program. If we look at the floods that took place up north last year, when I toured up there last year, it was a 12-month process, particularly with the Oxley with landslides. We were able to open some of those to a single lane, put traffic control in and at least get traffic going through, and we have been doing the same in the Blue Mountains around Mount Victoria where we have had subsidence under the main metro roads. But in terms of a time frame, it is going to be an extended period. That is all we can say at the moment. Until we actually have the full assessments and the geotech work, we cannot then map out what that program is going to look like. It will be prioritised. At the moment we have been literally opening roads to get food and water through and the real, critical things that New South Wales residents have been—

**The Hon. JOHN GRAHAM:** Obviously this is now a budget issue. This is something the Government has to look at in the budget.

**ROB SHARP:** Yes.

**The Hon. JOHN GRAHAM:** Before the budget lands, though, what options do you have to prioritise other sources of funding into these road communities that, as you say, have been cut off in some places?

**ROB SHARP:** I will pass to Mr Fuller. He has actually been in the crisis committee and he can talk to the funding.

**MATT FULLER:** Thank you for the question, Mr Graham. I think—

**The Hon. DANIEL MOOKHEY:** Again, Mr Fuller, the microphone needs to come forward.

**MATT FULLER:** Sorry, be closer. Apologies. There are a number of elements to your question. Firstly, I think in terms of time frames and then funding, obviously now it is restoration, then it is sort of recovery. But as was sort of talked to this morning, there is then that further resilience piece. In many respects, the time frame will go out because we will do that assessment and where the opportunities are to address some of those key vulnerabilities. Right now it is very much about restoring or reopening, and then it will be recovering back to at least its original state if there are opportunities to build back better immediately, that is, in, say, bridges and culverts and those sorts of areas. We take that opportunity now. Mr Sharp used a really good example this morning with the Oxley Highway—the fact that that had many timber-framed culverts previously; the fact that they are now concrete and that is helping the resilience of that corridor. In terms of funding, obviously we have record levels of funding in the department for regional road infrastructure. At the moment, as I indicated this morning, we are redeploying resources from other projects. I guess we are really looking at a re-prioritisation. We have substantial funding that—

**The Hon. JOHN GRAHAM:** What sorts of other projects?

**MATT FULLER:** Specifically, this morning I referenced crews that were on the New England that we moved over to the north for the immediate response as an example. So we will potentially delay some works. We will make decisions around where we prioritise the effort and making sure that those communities get the support that they need. We have the funding that also is working through some of the local government programs. Clearly those local government areas are not going to be in a position to follow through on some of those. The first thing



is about giving them flexibility and surety that that funding will be available to them, readdressing some of those projects, and if that means adjustments to criteria and how we approach that going forward, we will absolutely commit to that. We have already had discussions with councils that have projects that have been impacted.

**The Hon. JOHN GRAHAM:** Yes.

**MATT FULLER:** So we have that money there now. An example of that this morning was where we have advanced the funds from the natural disaster—

**The Hon. JOHN GRAHAM:** Yes, and I thought that was—

**MATT FULLER:** Through Transport funding.

**The Hon. JOHN GRAHAM:** That was a point well made.

**MATT FULLER:** We know that they need that cash flow now. We know that they will get that natural disaster funding.

**The Hon. JOHN GRAHAM:** Yes.

**MATT FULLER:** We also have access to natural disaster funding. At the moment our response part of the recovery, we are able to meet within our Transport allocations and we will continue to do so. We will then go back with Resilience and other partners to look at business cases on some of those.

**The Hon. JOHN GRAHAM:** Understood. Mr Sharp, I might come to you with one specific question we were asking the other day: Given the Government has not made an investment decision on the Beaches Link, the \$60 million that is allocated in this year's budget for the Beaches Link planning, has that all been spent or not? Is that something that is in your power to reallocate?

**ROB SHARP:** That work is continuing. As I have indicated a couple of days ago, the decision still sits with Government in respect to the next stage of that.

**The Hon. JOHN GRAHAM:** No, I understood.

**ROB SHARP:** But, no, those funds—there are works and contracts in place. What Mr Fuller is referring to is where we have project work or maintenance work and we can reallocate.

**The Hon. JOHN GRAHAM:** No, I understood clearly what Mr Fuller was saying. I am now putting to you another question entirely. Given how slowly those other projects are going—

**ROB SHARP:** Those funds would not be available to just suddenly swing across to an emergency.

**The Hon. JOHN GRAHAM:** I am upset to hear that.

**ROB SHARP:** We have budget process, as you said, under way. In terms of Resilience and the funds that we would need over the next 12 months, there would be some estimates through that budget process that we would put into the next budget.

**The Hon. JOHN GRAHAM:** I am going to ask about one other budget question, then I am going to hand to my—

**The Hon. DANIEL MOOKHEY:** I might just follow up with one very quick question on that. I understand you were making a claim from the Treasury Managed Fund as well. What powers does the insurer have in determining what gets rebuilt and when?

**ROB SHARP:** I would have to take on notice the actual insurance claim criteria.

**The Hon. DANIEL MOOKHEY:** Is it the ordinary practice that you effectively make the decisions and whatever is recoverable from the insurer you recover, or is it the case like it would be in a private setting that the insurer can control the decisions that are made about what gets repaired in what order and to what standard?

**ROB SHARP:** No. You can claim up to 12 months after the event. I suspect it is—if you hit a defined event and you document it correctly, you can claim it under those criteria.

**The Hon. DANIEL MOOKHEY:** No, I am saying that ordinarily an insurer often in the case of a home will take control of the home's repair. That is quite common and that in fact is what insurers do. I presume that is not the case with the TMF.

**ROB SHARP:** I do not think so.

**The Hon. DANIEL MOOKHEY:** They do not actually control it; it is just a case that you send them a bill, and then they will fund whatever portion of it they think is under policy.

**ROB SHARP:** They have criteria but, yes, they are not—

**The Hon. DANIEL MOOKHEY:** They are not controlling.

**ROB SHARP:** My understanding is they are not prioritising. That would be—

**MATT FULLER:** No. My understanding is that we are making decisions around prioritisation. Generally speaking, we are using our own funding to do that in the first instance anyway.

**The Hon. DANIEL MOOKHEY:** But you are not capped—the quality of the repair is not capped according to your insurance policy.

**MATT FULLER:** No, not at all. We obviously will make decisions—what is covered in the policy in terms of reinstatement versus decisions that are just good decisions to make, the right decisions to make about how we allocate our budgets to ensure that if we either put a betterment decision across a particular bridge, a particular culvert, whatever the example.

**The Hon. DANIEL MOOKHEY:** In the insurance industry it is called subrogation. Basically, you are telling me that they are not subrogating and acting in your place; you will continue to act as a decision-maker when it comes to what standards these roads are repaired to.

**MATT FULLER:** I would certainly take on notice the conditions that our finance team are working with in terms of TMF, but our road teams are the ones making the decision. Our regional directors are the ones making the decisions about the prioritisation over the effort, where that is needed out there on the ground at the moment, and then getting on with that work, the hiring of contractors, all of those sorts of aspects in terms of delivering on the recovery.

**The Hon. DANIEL MOOKHEY:** Thank you.

**The Hon. JOHN GRAHAM:** When it comes to the regional road classification questions we were asking the Minister this morning, he gave us some concrete time lines—certainly a concrete time line for when this would hit his desk.

**ROB SHARP:** Yes, Q3.

**The Hon. JOHN GRAHAM:** He would not give us a concrete time line for when it would leave his desk. That is a matter for the Minister. Obviously this is a budget issue. One of the real hold-ups here is the money to deliver this. There is no secret about that.

**ROB SHARP:** Yes.

**The Hon. JOHN GRAHAM:** Can you just remind us what is in the budget in the forward estimates for this program at the moment? What should we be comparing it to when we look at the budget when it lands at the end of June?

**ROB SHARP:** I would have to take on notice what is in there specifically for the road transfer. I know it is quite complex because clearly there is funding that goes to councils at the moment, and the local councils would be concerned whether we are just going to take that funding away. There are clearly conversations and discussions around funding—council funding versus what we are funding.

**The Hon. JOHN GRAHAM:** Mr Sharp, could you give us any detail you can on notice about the current funding commitment—

**ROB SHARP:** Yes, I will take it on notice. I do not have it at the moment.

**The Hon. JOHN GRAHAM:** —in relation to this program.

**ROB SHARP:** Sorry, Mr Fuller says he may have that detail.

**MATT FULLER:** Thank you, Mr Sharp. I will also ask Ms Heydon to comment here too because, as the Minister said, it is within her portfolio. At the moment, there is a \$250 million nominal allocation towards the Rotary classification project over the next three years. Once we have received the detail from the committee as to the extent of roads, condition and things, then we will be in a position to actually go back to Government with those formal business cases to then allocate that funding to specific projects.

**The Hon. DANIEL MOOKHEY:** Where is that reported in the budget papers?

**MATT FULLER:** I would have to take that question on notice.

**ROB SHARP:** The 250 is definitely in there. My notes refer to 250 being in the FY 2021-22 forwards, but in terms of the broader country roads—

**CYNTHIA HEYDON:** I can give this: The *NSW Budget 2021-22 Regional NSW*, page 21.

**The Hon. DANIEL MOOKHEY:** Sorry, is that *Budget Paper No. 2*?

**CYNTHIA HEYDON:** I believe so, yes—sorry, yes.

**The Hon. DANIEL MOOKHEY:** Okay. That is the outcomes report. That is different to necessarily the estimates. It is helpful information, do not get me wrong. Is that on the recurrent side or is that on the capital side?

**CYNTHIA HEYDON:** A mix of opex and capex in that \$250 million.

**The Hon. DANIEL MOOKHEY:** Okay. So the opex would be reported in the Transport for NSW for current spending? It is not disaggregated.

**ROB SHARP:** It would be.

**The Hon. DANIEL MOOKHEY:** But I am looking at the capex side, and I cannot see it in *Budget Paper No. 3*. Can you perhaps take it on notice and tell me where it is reported?

**CYNTHIA HEYDON:** Yes, we can take that on notice and come back.

**The Hon. DANIEL MOOKHEY:** Thank you.

**The Hon. JOHN GRAHAM:** Could you tell us what is on the opex side of things? That is one of the questions about the money that has been allocated: Will it pick up the full cost of that? So perhaps some detail on that as well.

**ROB SHARP:** I think the 250 was to address here-and-now issues that were marked as concerns whilst we work through this process.

**The Hon. JOHN GRAHAM:** Yes.

**ROB SHARP:** We will take on notice the recurring expenditure question.

**The Hon. JOHN GRAHAM:** Okay. Thank you. I might just turn to this issue about former Minister Andrew Constance's campaign bus, which is touring the State. He says it is on loan as a train replacement bus. Is this true that we are paying for this campaign bus to travel the State?

**The Hon. WES FANG:** He is just trying to be friendly and helpful.

**The Hon. DANIEL MOOKHEY:** We can just have a question and answer, and members can keep their comments to themselves.

**The Hon. SCOTT FARLOW:** Come off it, you enjoy them.

**The Hon. JOHN GRAHAM:** Please give me some reassurance that is not true.

**ROB SHARP:** Firstly, I was not aware there was a campaign bus, but it is great that he has one and he is travelling around New South Wales. It is a lovely countryside. In respect to whether we are paying for it, I am not aware of that at all. I will just pass to Mr Fuller if he is aware of anything, but we are not aware of that.

**MATT FULLER:** No, we are not aware of anything that is funding any campaign activity.

**The Hon. JOHN GRAHAM:** I would like more specific assurance about that—

**ROB SHARP:** Sure, we will ask quite specifically.

**The Hon. JOHN GRAHAM:** This is Andrew Constance in the paper on Sunday saying that he is loaned this bus which is—

**The Hon. SCOTT FARLOW:** I think it might be tongue-in-cheek.

**The Hon. JOHN GRAHAM:** I am here to check.

**ROB SHARP:** We will check the facts.

**MATT FULLER:** It is perhaps worth stating to the Committee that we have a series of panel contractors that assist us in terms of our emergency busing and coaching requirements that go through a very rigorous process of procurement. We have those contractors and we have then a panel list that sits with our transport management centre that calls on those providers to allocate busing across the network to help us in any situations, as we have done in the north in terms of the flood response where we have provided shuttle services and things through those

emergency provisions to ensure that communities have connection. So there is a robust process, irrespective of what might have been commented on this occasion.

**The Hon. JOHN GRAHAM:** I accept that. Let us just check the result of that robust process as well.

**The Hon. DANIEL MOOKHEY:** We might take the break early because I do not think it is worth starting the next 20 minutes crossbench time with five minutes to go to the break. If the witnesses could standby for 30 seconds, we might consult to see if there is anybody in a position to be released.

**The Hon. WES FANG:** The other thing I would say is that if there is not much more that needs to be—

**The Hon. JOHN GRAHAM:** I do not think we can give that assurance.

**The Hon. SCOTT FARLOW:** Forensic investigation into the Constance campaign bus.

**The Hon. WES FANG:** Yes.

**Mr JUSTIN FIELD:** If useful, Chair, I have an absolute maximum of 10 minutes.

**The Hon. WES FANG:** We could allow Mr Field his questioning and that way at least he can get away.

**The Hon. DANIEL MOOKHEY:** I will ask the witnesses. The break is scheduled for 3.30. If you are willing to take 10 minutes of questions from Mr Field, we can break at 3.35 and perhaps use the 10 minutes to identify if any person can be released.

**ROB SHARP:** No, that is fine, we are happy with that.

**The Hon. DANIEL MOOKHEY:** We will go to questioning from Mr Field, which he says will go until about 3.35 p.m.

**Mr JUSTIN FIELD:** Everyone has been very amenable, thank you; I have had more than my fair share and I appreciate it. Whoever is appropriate, I want to talk about wildlife crossings. How are decisions made about what wildlife crossings would need to be put in place for any particular road upgrade?

**GILLIAN GERAGHTY:** I will have a go.

**ROB SHARP:** Yes, we will pass to Ms Geraghty.

**GILLIAN GERAGHTY:** It is carefully considered. I do not have the exact answer, but we do have an environmental team that we work very closely with in the design of our projects, and that does include the wildlife crossings, both over and under our roads. On the Pacific Highway up north we did a lot of work with our environmental team to identify, firstly, what were the fauna that we were catering for and then what were the appropriate crossings.

**Mr JUSTIN FIELD:** Is there a policy or minimum standards or guidelines? What do you base your decisions on?

**GILLIAN GERAGHTY:** I might ask my colleague Peter Dunphy.

**PETER DUNPHY:** Thank you for the question, Mr Field. We do have policies around the management of wildlife and it is certainly part of our integrated approach to measures for any advanced planning and major projects to ensure that we allow safe passage for wildlife to cross roads, wherever possible. We certainly have that. We have a koala strategy, which we have been working very closely with both DPE and the EPA on—

**Mr JUSTIN FIELD:** Unfortunately, we have no koalas left in the Shoalhaven, so it will not be a problem down there. We probably needed some of those crossings before now.

**PETER DUNPHY:** Yes. Certainly as part of our environmental impact assessment we would always look at the impact on wildlife, and that would include looking at those potential corridors for safe passage.

**Mr JUSTIN FIELD:** So it is bespoke.

**PETER DUNPHY:** It is.

**Mr JUSTIN FIELD:** It depends on the project.

**PETER DUNPHY:** Exactly, yes.

**Mr JUSTIN FIELD:** There is not a set of policies or guidelines or minimum standards for how the crossings are determined or delivered for any particular project?

**PETER DUNPHY:** There are certainly standards which we need to meet in terms of the actual way that they are constructed, and that would be something where we would be working with the Department of Planning

and Environment in terms of ensuring that we meet any requirements around either conservation requirements or any of the environmental planning requirements.

**ROB SHARP:** If I can just add, the environmental impact studies are the area where clearly that is articulated. There is about 480 kilometres of fencing up north and that includes 300 fauna structures. The fauna structures are probably more relevant down south, but those are actually analysed and there are studies done into animal crossings, they are placed in strategic places and, once that is committed to, we need to deliver to that. So it is that environmental impact study. We have a team that specialises in it, but it is actually through research and specifically looking at what fauna is there and what animal crossings are taking place.

**Mr JUSTIN FIELD:** Sure. I do not think there are any fauna crossings currently between Nowra and Ulladulla, for example. However, there are substantial tracts of public and private land. Is there a requirement for you to improve the crossings as a result of these road developments or do you just make the case that there is nothing there now, there is nothing that is crossing now, so we do not need to do that. I am thinking about how we improve connectivity in the existing landscape down there. It is safer for people, there are a lot of vehicle-animal interactions, to put it in a way that does not really reflect the seriousness of it, but it would be great to get improved connectivity. What are your expectations? I have had it put to me that council has been trying to engage with Transport for NSW to get a higher standard than would be the minimum requirements for wildlife crossings and there has been pushback. Is that the case or have I been misinformed?

**ROB SHARP:** Clearly on new projects we are well placed and we do a lot of work. In terms of historical infrastructure, it is a more vexed issue because we simply have such a large network of roads. Having said that, philosophically, our view is that we have a role to play, and koalas get the headline but there are a lot of other animals that are impacted by vehicles as well. You are right, there are safety implications there. I do not know of a policy per se that says for legacy infrastructure this is the hurdle. But certainly happy to take that back and look at whether we can look at our policies in regard to that because unless you actually have a policy or a structure in it, when we are doing maintenance, it will be hard to engage with us. I think that is something we will take back on board and I think it is a good suggestion.

**Mr JUSTIN FIELD:** Mr Hayes, has council been asking for more information or higher standards or particular outcomes and there has been pushback from Transport for NSW?

**ANTHONY HAYES:** No, Mr Field, certainly no pushback. I take it this is Shoalhaven you are talking about and the glider poles et cetera?

**Mr JUSTIN FIELD:** I suspect that is what it is about. This has not come to me from council itself, but they wanted higher standards and Transport for NSW has basically said no. I am just trying to understand what is going on there.

**ANTHONY HAYES:** We met with council at the end of last year to give them an update on our assessment. We have not gone back to them formally yet, so that is still to happen shortly. There is some degree of disagreement in terms of what they believe should be done versus what our experts have advised should happen, but the next step is to sit down with Shoalhaven council and talk it through.

**Mr JUSTIN FIELD:** What is the point of disagreement?

**MATT FULLER:** I think at a higher level, Mr Field, I can say that it is certainly not a policy to only maintain an existing standard. I can think of a number of projects we have undertaken where we have actually improved connectivity and seen that as a very pertinent priority within a project, even just some of the routine maintenance projects that we have undertaken—for example, on Picton Road where we have put in place wildlife underpasses as part of that maintenance, not because we had to but we just considered that it was the right thing to do at the time and it was improving connectivity. So there is a number of those examples where we certainly do take that opportunity to improve the existing standard and it is really on a case-by-case basis in the local environment. We work with many of the different stakeholders—National Parks, as an example, State Forests and local land conservation groups. There are detailed site surveys that go on, in some cases for many months, prior to making decisions on what happens with wildlife corridors.

**Mr JUSTIN FIELD:** I do not want to belabour the point, but can I just leave with you that the impact of the fires is still being really heavily felt. We have areas of refuge that are largely dislocated from other areas of forest because of fire and now we are introducing a pretty substantial piece of infrastructure, substantial widening of the road, which the community absolutely supports and will be beneficial. I drive that road all the time. But we should be looking for the best opportunities leveraging your investment for biodiversity outcomes and connectivity where we can. I appreciate the evidence here today. That is it from me, Chair. Thank you.



**The Hon. DANIEL MOOKHEY:** Congratulations, do enjoy! We will go to a break for 15 minutes but I can give some pleasant news to a few people. It is unlikely that Deputy Secretary de Kock will get questions; equally, I think, unless the crossbench has any further questions, Mr Allaway—or any questions for that matter; Mr Hayes as well is unlikely to attract; Ms Geraghty, Mr Carlon and Ms Heydon are also unlikely, but secretary, it is at your discretion, not ours.

**ROB SHARP:** That is fine. I am sure they will appreciate the early exit.

**The Hon. DANIEL MOOKHEY:** Yes. So we will reconvene with everybody else at 3:50 p.m. Thank you.

**(Joost de Kock, Peter Allaway, Anthony Hayes, Bernard Carlon and Cynthia Heydon withdrew.)**

**(Short adjournment)**

**The Hon. DANIEL MOOKHEY:** We will do our level best to go as fast as we can to see if it is possible to get everybody out of here before our point of closure at 5:15 p.m. We will go to the Opposition with Mr Graham.

**The Hon. JOHN GRAHAM:** If that is acceptable, we have got quite a large number of issues to touch on briefly, but with your assistance we might give you some guidance to move on once you have covered them off.

**ROB SHARP:** Okay. We just have some feedback from this morning as well on the contamination.

**The Hon. JOHN GRAHAM:** Good.

**ROB SHARP:** What was the other one you had?

**GILLIAN GERAGHTY:** I just did waste disposal.

**ROB SHARP:** Good.

**GILLIAN GERAGHTY:** You asked a question in relation to the Beaches Link waste disposal, which I can provide some further information on.

**The Hon. JOHN GRAHAM:** Thank you.

**GILLIAN GERAGHTY:** As part of the planning submissions for Beaches Link we went through an extensive review of potential sites before identifying previously that the Port of Newcastle was a potential site for a load-out facility. The letter that was tabled did indicate in paragraph 6 the location was subject to change. We also confirmed in the preferred infrastructure report, which is currently being considered by the Department of Planning and Environment, that the location may change. We have been undertaking further review in collaboration with DPE and we have determined that we will not progress with the proposed plan to transport any materials for the Beaches Link project to the Port of Newcastle. That was decided in March this year.

The content of the letter that was prepared prior to the decision being taken was accurate at the time. I think it was 7 March, the date of that letter. On 9 March I have been told that we advised the CEO of the city of Newcastle council that we did make the change and we are now working in collaboration with the Department of Planning and Environment in investigating alternative load-out facility sites for any material that is deemed unsuitable for offshore disposal.

**The Hon. JOHN GRAHAM:** Thank you. That is very helpful. Is there any indication about where those load-out sites are likely to be now, given that decision?

**GILLIAN GERAGHTY:** No. I do not have any indication at this point, but we are working through that with the Department of Planning as part of our planning submission.

**The Hon. JOHN GRAHAM:** What is the timing before you have some sense of where those load-out sites will be?

**GILLIAN GERAGHTY:** We are hoping for the planning submission to be approved mid-year, if not before then; so, before that.

**The Hon. JOHN GRAHAM:** Okay. This letter was signed off on 7 March, sent. It has then been superseded by this decision to say, no, this is definitely not going to Newcastle.

**GILLIAN GERAGHTY:** That is correct.

**The Hon. JOHN GRAHAM:** In the correspondence, we agree, the option is kept open. Events have moved on, rapidly as it turns out.

**GILLIAN GERAGHTY:** Yes.

**The Hon. JOHN GRAHAM:** And the option is now closed. Twelve thousand cubic metres of this material, which is unsuitable for the safe disposal but straightforward disposal out to sea, will not be going to the Port of Newcastle.

**GILLIAN GERAGHTY:** Will not be going to the Port of Newcastle, that is correct.

**The Hon. JOHN GRAHAM:** Thank you.

**GILLIAN GERAGHTY:** Pleasure.

**The Hon. JOHN GRAHAM:** That is a really useful clarification. Thank you for that.

**GILLIAN GERAGHTY:** Thank you.

**ROB SHARP:** And just the traffic lights that were asked about up at Lismore.

**MATT FULLER:** Yes. I can report back to the Committee that we have actually had a contractor there onsite today attending to the traffic lights. They would not be reinstated today, though. There are a number of issues, as I am sure you would appreciate, one of which is utilities—so getting access to power in the area—but the assessment is absolutely underway: the loops in the road, the signal box and then the lights themselves. I am up there in the next few days so I will certainly follow up with the team and continue keeping an eye on that one.

**The Hon. JOHN GRAHAM:** This is not a Transport issue but I just wondered, given your comments, whether Transport has any views about this or whether it is impacting our transport infrastructure. The fact that the communications again fell over so quickly in the north—we had this issue with the bushfires down south—and again the communications network really collapsed almost immediately, does that have transport infrastructure implications in these situations? I am really asking broadly now.

**MATT FULLER:** Sure. Any failure of communication obviously has implications in terms of coordination and response. That is probably the first statement. We have undertaken to take a number of precautions, including the deployment of satellite phones and things of that nature to ensure that we do not lose all connectivity. As much as we have had certainly broken signal and interruptions up in the north, we have not lost it altogether, in my understanding, but we have certainly had a number of examples where that has been compromised to some degree.

**The Hon. JOHN GRAHAM:** That is useful.

**MATT FULLER:** It interrupts response, I suppose is probably the best way to describe it.

**The Hon. DANIEL MOOKHEY:** Just a follow-up question. Does Transport have access to the critical telecommunications network that is customer service building or network control?

**MATT FULLER:** I will take that on notice but I believe we do.

**The Hon. DANIEL MOOKHEY:** Was it used?

**MATT FULLER:** I would have to take that on notice.

**The Hon. JOHN GRAHAM:** Secretary, I might turn to the issue I raised with the Minister about Rixon's Buses in Batemans Bay and surrounds—I think coming out of Mogo. I wonder if there is any background to this. This is essentially a council issue in some ways. It is a post-bushfire issue over a couple of years but I am really raising it here because it is also a community transport issue with a provider who, I understand, has had quite a good relationship with the transport agency in the past. Certainly, the community values this service. I do not know if you have any background at all that is useful on this issue.

**ROB SHARP:** I will pass across to Ms Wise, but just before I do, you are right. Community buses are such a critical part of all the regional areas and so we do work closely with them. I am aware of some of the background on this, and quite important stories right back to the bushfires and impacts. So clearly, they have been impacted by the local issues. We certainly do not want to see a community lose services. I will pass over to Ms Wise.

**BARBARA WISE:** The service you referred to run by the Rixon family, Mal Rixon and his family, is being provided under a contract to Transport for NSW as part of the on-demand pilot program. We have extended that program over the past couple of years. COVID and bushfires impacted the ability of the community to use the service as frequently as otherwise might have been the case, so we have extended that pilot in order to see how it is continuing to work. I am very aware of Mr Rixon's personal circumstance, as far as the bushfires go, and the very terrifying experience he had in that. In terms of my team's interaction with Mr Rixon on his depot, I asked

the team after your statement this morning if he had raised it with us. Our last governance meeting with Mr Rixon was in February. I do not recall the exact date, but they did mention that they were going through council. They did not seek our assistance in any way with that. They did mention that a Mr Graham had been down there and used the service, and I can only assume that was you. That was in our governance meeting minutes. So that is essentially what I can tell you.

**The Hon. JOHN GRAHAM:** It was very early in the morning. That is useful. I want to indicate that this probably is more a council issue, but if there is a risk of losing this service, it just seemed like one of those bushfire recovery issues that there has been a lot of assistance with. If there is any way we can provide that support, I think it would certainly be welcome.

**BARBARA WISE:** Certainly, and, as I indicated, it is a pilot program and we would be going through the normal budget and evaluation processes around that.

**The Hon. JOHN GRAHAM:** I intend to speak to the Minister a little bit more about that as well. That is probably the best next step on that. Thank you.

**The Hon. DANIEL MOOKHEY:** Secretary, I am asking do you recall that former Minister Constance issued a direction to your department to remove all trees within 40 metres of State-controlled highways?

**ROB SHARP:** I do recollect the letter. That was something I became familiar with very early on.

**The Hon. DANIEL MOOKHEY:** Sure.

**The Hon. WES FANG:** Very deadpan. That was good.

**The Hon. DANIEL MOOKHEY:** As I understand it from our previous estimates—not this budget round but the previous budget round—Transport put a plan back to the Minister. That is correct?

**ROB SHARP:** Yes. Fire resilience was something that was on our agenda. The question was what could we do? And we rolled out a number of trials, in particular down south. Basically, the issue was large, old trees that fell in the bushfires were that large and still smouldering that equipment could not get through.

**The Hon. DANIEL MOOKHEY:** I am after an update.

**ROB SHARP:** The program was to target those trees and remove them. We have been successfully doing so. For each of those trees we go through an environmental assessment approval process, and that has been quite successful. We are continuing to roll that through and there has been—

**The Hon. DANIEL MOOKHEY:** How many trees have been removed?

**ROB SHARP:** I would have to take it on notice, but it is quite a few thousand. But it is not 40 metres of knocking trees down; it is very targeted at the trees that are in the high-risk areas. It is actually part of a broader resilience program because often these smaller communities have one road coming in. We are looking at, for these settlements, how do you ensure you have got two roads and also the trees that are the likely ones to cause the issues? So a combination of roads, repairs, upgrades to those roads, and the tree removal.

**The Hon. DANIEL MOOKHEY:** You think a couple of thousand trees have already been removed?

**ROB SHARP:** Yes, and I will come back to you with the exact details. There is the trial, we know how many trees and we know the cost as well, but I have not got it here.

**The Hon. DANIEL MOOKHEY:** So you know the cost of the removal so far?

**ROB SHARP:** Yes.

**The Hon. DANIEL MOOKHEY:** Can we get that on notice? You describe this as a trial. As a precursor to what?

**ROB SHARP:** If the trial works we will roll this out more broadly as part of the corridor resilience program that we are running. It was really to see the approval processes, what was the cost, how feasible was it, did it really achieve the results? I am pleased to say it was very cost-effective and we believe as part of the resilience program it has a role to play. So we will factor that in now as part of our ongoing resilience program.

**The Hon. DANIEL MOOKHEY:** When is the trial due to finish, or has it finished?

**ROB SHARP:** There have been a couple of trials in different areas. I will present—

**The Hon. DANIEL MOOKHEY:** Who is evaluating this, the outcome of the trial? Is it done by the department or are you—

**ROB SHARP:** Yes, the department. We set up the trial, we know what the parameters were and then we have reviewed the outcomes of those trials.

**The Hon. DANIEL MOOKHEY:** With the intent to do what? To go back to the Minister—if you are assuming that you are going to recommend it, does that require additional—

**ROB SHARP:** Yes, it would be a recommendation as part of our corridor resilience planning. The planning is much broader than just cutting some trees down—that is one part of it, and we would present that as part of a broader strategy for resilience.

**The Hon. DANIEL MOOKHEY:** But the actual Minister's instruction still stands?

**ROB SHARP:** It was not an instruction. Our interpretation of it—and there was a lot of debate at the time—my interpretation of the direction as secretary was in the context of post-bushfire and resilience, and that is what we have looked at. We have created the program and that is my response to that particular letter.

**The Hon. DANIEL MOOKHEY:** This was directed to all State highways. Do you know roughly where we have been doing the trial?

**ROB SHARP:** In particular, we did them down south, but it has been spread. I will provide some details on it.

**The Hon. DANIEL MOOKHEY:** If we can get the location of where the trees have been removed and the number of trees by location, that would be helpful as well—on notice.

**ROB SHARP:** Yes. Take that on notice.

**MATT FULLER:** I can probably just add that some areas that are being covered are the Gwydir Highway, the Pacific Motorway, the Hunter Expressway, the Princes Highway, obviously, as Mr Sharp has just talked about, but also the Kings Highway.

**The Hon. DANIEL MOOKHEY:** Do you have the number of trees?

**MATT FULLER:** I do not have the number of trees, no. Sorry.

**The Hon. DANIEL MOOKHEY:** Is there any further trials planned?

**MATT FULLER:** I think, as Mr Sharp has just indicated, the trials were specific to those particular areas, and we are—

**The Hon. DANIEL MOOKHEY:** But we have finished them. There were multiple trials. They are all finished now?

**ROB SHARP:** The trials are finished, as far as I am aware.

**The Hon. JOHN GRAHAM:** I want to return to the fate of that \$80 million that was redirected from unallocated funds in the Fixing Country Roads program. The former Minister indicated it had been borrowed, it would come back. Has it come back? Can you give us any sense of the fate of this?

**ROB SHARP:** I would have to take that on notice. We are in the middle of the budget process, so I should be able to find out exactly what the status is.

**The Hon. DANIEL MOOKHEY:** Can I go to Mr Merrick, please. You are currently, for want of a better term, complying with your obligation to resolve your access fees to access Transport Asset Holding Entity's assets right now, are you not?

**DALE MERRICK:** To TAHE?

**The Hon. DANIEL MOOKHEY:** Yes.

**DALE MERRICK:** That is correct. Yes.

**The Hon. DANIEL MOOKHEY:** Can you give us an update as to where you are up to?

**DALE MERRICK:** We have agreed the pricing framework. We are in the process of negotiating that outcome.

**The Hon. DANIEL MOOKHEY:** Sorry. Let us be very specific here. When you are talking about the pricing framework, what are you talking about?

**DALE MERRICK:** Access to the TAHE assets. With regard to TrainLink, access and usage of those TAHE assets.

**The Hon. DANIEL MOOKHEY:** You resolved the pricing framework when you entered into an agreement that came into effect on 1 July last year, did you not?

**DALE MERRICK:** That is correct. Yes.

**The Hon. DANIEL MOOKHEY:** That framework established the pricing regime, did it not?

**DALE MERRICK:** It did.

**The Hon. DANIEL MOOKHEY:** Then you entered into a heads of agreement on 18 December last year?

**DALE MERRICK:** That is correct.

**The Hon. DANIEL MOOKHEY:** That updated—let us use the term "updated"—the original agreement. Is that fair?

**DALE MERRICK:** That is fair, yes.

**The Hon. DANIEL MOOKHEY:** That required you to effectively have to conclude the access fees for this year and the coming year? Or was it just the coming year?

**DALE MERRICK:** For the coming year, I believe.

**The Hon. DANIEL MOOKHEY:** I think we have been previously advised that this was meant to be happening in February and March. Is that your understanding?

**DALE MERRICK:** Yes, that is my understanding.

**The Hon. DANIEL MOOKHEY:** Are you likely to complete it for the next year soon?

**DALE MERRICK:** That is the intent, yes.

**The Hon. DANIEL MOOKHEY:** Can you tell me, how much does NSW Trains pay for its access fees for this financial year?

**DALE MERRICK:** I would have to come back with you on notice for the exact amount.

**The Hon. DANIEL MOOKHEY:** We had \$700 million, I think it has been described, or 680 between both you and Sydney Trains. Your annual report, I think, had a figure. I am only going from memory. It was 140-ish, I thought, but I could be wrong on that. Of the 680, do you know how much is coming from your organisation?

**DALE MERRICK:** I will take it on notice and provide that.

**The Hon. DANIEL MOOKHEY:** But you do not know? Is that the reason why you are taking it on notice?

**DALE MERRICK:** Not at hand, no.

**The Hon. DANIEL MOOKHEY:** Have you by any chance familiarised yourself with the projection that has been provided by the Auditor-General as to the growth in your access fees?

**DALE MERRICK:** No, I have not.

**The Hon. DANIEL MOOKHEY:** Your access fees are due, according to the advice that has been provided in the State accounts—when I say "your", I mean yours and Sydney Trains jointly—compounding growth by 14 per cent per annum between now and the end of the decade. Is that consistent with what you are assuming? Does that sort of—

**DALE MERRICK:** It does.

**The Hon. DANIEL MOOKHEY:** How much of that is coming from you?

**DALE MERRICK:** The funding for access fees is forthcoming from Treasury.

**The Hon. DANIEL MOOKHEY:** But the additional access fees that you are paying, how much of that are coming from NSW Trains, of that 14 per cent annual growth? Do you know?

**DALE MERRICK:** I have to take that on notice and come back to you.

**ROB SHARP:** Mr Mookhey, if I can just add on that. The growth is actually driven by assumed asset acquisitions as well as the increase in the return expectations. So the mix would depend on—



**The Hon. DANIEL MOOKHEY:** How much assets they are acquiring.

**ROB SHARP:** —the asset growth assumptions for Sydney Trains versus NSW Trains and we do not have that information here today.

**The Hon. DANIEL MOOKHEY:** But the principal asset of TAHE's that you are accessing, is it not the NIF?

**DALE MERRICK:** Sorry. Could you repeat that?

**The Hon. DANIEL MOOKHEY:** The New InterCity Fleet. Is that not the asset that they are owning, that you will be accessing?

**DALE MERRICK:** One of.

**The Hon. DANIEL MOOKHEY:** But that is the major one, is it not? And the rail network.

**DALE MERRICK:** It is the rolling stock that we operate, and access to the network.

**The Hon. DANIEL MOOKHEY:** Yes. But, to be fair, TAHE's network only extends as far north as Newcastle, doesn't it? Do you not control the rest of it up north?

**DALE MERRICK:** Just reframe the question again. Sorry.

**The Hon. DANIEL MOOKHEY:** Just in terms of the actual network, not the rolling stock but the actual tracks, their ownership is not all of New South Wales. That is correct?

**DALE MERRICK:** That is correct.

**The Hon. DANIEL MOOKHEY:** You control the assets still for—I think it is from somewhere north, the mid North Coast. Is it not?

**DALE MERRICK:** No. NSW TrainLink, you are referring to?

**The Hon. DANIEL MOOKHEY:** Yes. I think so.

**DALE MERRICK:** No. We do not control the access or the network.

**The Hon. DANIEL MOOKHEY:** When were you advised that you would be getting an additional \$1.1 billion to pay access fees in the half-yearly budget review?

**DALE MERRICK:** I would have to go back and seek the date.

**The Hon. DANIEL MOOKHEY:** Did you find out in the half-yearly budget review?

**DALE MERRICK:** I would have to take that on notice.

**The Hon. DANIEL MOOKHEY:** The half-yearly budget review was introduced on 16 December. Did you sign the heads of agreement on 18 December?

**DALE MERRICK:** I did.

**The Hon. DANIEL MOOKHEY:** Presumably you would not have signed the agreement without having some confidence you would be able to pay it. Is that fair?

**DALE MERRICK:** Yes, that is correct.

**The Hon. DANIEL MOOKHEY:** Did you know that you were getting the additional money when you signed it?

**DALE MERRICK:** It was my understanding, yes.

**The Hon. DANIEL MOOKHEY:** If you signed it on the Saturday and we found out you got the money on the Thursday, did you find out you got the money on the Thursday?

**DALE MERRICK:** I am not sure of the exact date but the funding was confirmed.

**The Hon. DANIEL MOOKHEY:** Around that time?

**DALE MERRICK:** Like I said, I would have to take the date on notice.

**ROB SHARP:** Mr Mookhey, I can help there. We provided time lines to the TAHE committee and 14 December was when we found out about the budget.

**The Hon. DANIEL MOOKHEY:** The ERC.

**ROB SHARP:** Yes.

**The Hon. DANIEL MOOKHEY:** That is when you communicated it with Mr Merrick. Is that the case?

**ROB SHARP:** Correct.

**The Hon. DANIEL MOOKHEY:** Okay, fair enough.

**ROB SHARP:** It is 14 December the date you are after.

**The Hon. DANIEL MOOKHEY:** The Auditor-General warns that after 2024-25 it is unclear whether you are going to have funding to continue to pay the growth and access fees. Where are you going to get the money from?

**DALE MERRICK:** That is a consideration for the department as to where that funding comes from.

**The Hon. DANIEL MOOKHEY:** You maintain a five-year budget, do you not?

**DALE MERRICK:** Forward estimates, yes.

**The Hon. DANIEL MOOKHEY:** What are you doing for the forward estimates for the first year of the outer year? What are you doing? You have to start planning for that now.

**DALE MERRICK:** Yes, that is correct.

**The Hon. DANIEL MOOKHEY:** Are you putting a submission in to get more money?

**DALE MERRICK:** Yes, the intent would be to seek that funding for that additional access payment.

**The Hon. DANIEL MOOKHEY:** That would result in effectively more money from Consolidated Revenue having to come to you. Do you agree with that?

**DALE MERRICK:** Potentially, yes.

**The Hon. DANIEL MOOKHEY:** Where else would you get the money from? Is there any other source of money that is available that you are aware of that can provide you with the funds other than the consolidated fund?

**DALE MERRICK:** Not to my knowledge.

**The Hon. DANIEL MOOKHEY:** You will get it from Consolidated Revenue and then you will have to pay it according to TAHE, will you not?

**DALE MERRICK:** To be determined, but that is potentially one source.

**The Hon. DANIEL MOOKHEY:** Is there any other source?

**DALE MERRICK:** Not to my knowledge, but it is potentially the source.

**The Hon. DANIEL MOOKHEY:** You get passenger revenue and you get revenue from Consolidated Revenue and that is the only revenue you get. Are you going to seek it from passengers?

**DALE MERRICK:** No.

**The Hon. DANIEL MOOKHEY:** So you will be getting it from Consolidated Revenue. That is fair.

**DALE MERRICK:** Yes.

**The Hon. JOHN GRAHAM:** I might turn to another bus issue, this time the tender process for outer metropolitan regions 6 and 7. My understanding was this was originally scheduled for late 2021. Is that correct?

**ROB SHARP:** It was.

**The Hon. JOHN GRAHAM:** It has then been postponed. Is that correct?

**ROB SHARP:** Yes, correct.

**The Hon. JOHN GRAHAM:** It has been postponed to maybe later this year?

**ROB SHARP:** Ms Wise, is that correct?

**BARBARA WISE:** Yes, through you, Mr Sharp.

**The Hon. JOHN GRAHAM:** Till when later this year?

**BARBARA WISE:** There is a pipeline of bus procurement occurring now. All the bus regions in Greater Sydney are happening over the course of the next several months, and the Central Coast tenders will occur after the last of those tenders.

**The Hon. JOHN GRAHAM:** Originally it would have happened before. It has then been postponed and it will now happen after those. The timing, you are saying, Ms Wise, is dependent on how quickly those others travel. Or is the timing now known?

**BARBARA WISE:** It will to some extent depend on the timing of those ones. We would want the market to be clear about and have as much option to bid on all the regions they wish to tender on. We would seek to keep it away from any other concurrent tender.

**The Hon. JOHN GRAHAM:** Taking all those factors into account, it may occur at the end of this year. Is that fair?

**BARBARA WISE:** We are currently aiming for around September, but if there is any slip in the other time line, then I would imagine that may get delayed.

**The Hon. JOHN GRAHAM:** Why was the tender process deferred?

**BARBARA WISE:** There were some concerns raised. I am not in a position to go into any of that detail now. They are commercial discussions between the parties to the contracts and ourselves. I cannot really go into that in any detail.

**The Hon. JOHN GRAHAM:** It is quite an unusual situation, though, to postpone a tender process like that. You cannot give us any detail about why they were—

**BARBARA WISE:** I am afraid not. They are commercial-in-confidence discussions with the parties of the contracts that we have with the two operators.

**The Hon. JOHN GRAHAM:** On 17 December last year a document went up after the actual tender was put out: *Release of Data Room Confidential Deeds and Protocols for Access to the Data Rooms*. Were there any issues with the way the data rooms operated or the confidentiality processes here?

**BARBARA WISE:** As I said, I am not in a position to go into any details around commercial-in-confidence discussions we will have had with any of our parties that we contract with over this.

**The Hon. DANIEL MOOKHEY:** Look, I will provide you some guidance here. Ms Wise, you might wish to take some of these on notice, because it is not necessarily that commercial-in-confidence is a grounds that we can recognise of a person who is not in a position.

**BARBARA WISE:** Certainly.

**The Hon. DANIEL MOOKHEY:** If you require to get advice, that is a different matter. But I have to say that commercial-in-confidence is not a recognised, accepted reason not to be able to answer a question.

**BARBARA WISE:** Certainly. In that case, I am happy to take it on notice around what I could provide. But at this point in time I am unable to provide any information.

**The Hon. JOHN GRAHAM:** Let me put it you the other way, if this makes it any easier. Can you give us any assurance, given that this document went up, that the confidentiality of these data rooms—the ordinary processes that we would expect the agency to be able to safely operate—has not been breached?

**BARBARA WISE:** I would have to come back to you on notice with any detail around that.

**The Hon. DANIEL MOOKHEY:** Are those contracts continuing?

**BARBARA WISE:** I beg your pardon?

**The Hon. DANIEL MOOKHEY:** Did those contracts expire?

**BARBARA WISE:** The two for the Central Coast?

**The Hon. DANIEL MOOKHEY:** Yes.

**BARBARA WISE:** The contracts for both of the Central Coast regions are in place until June 2024.

**The Hon. DANIEL MOOKHEY:** So the tender process was for the period beyond 2024?

**BARBARA WISE:** Correct.

**The Hon. DANIEL MOOKHEY:** Are there any existing options within the existing contracts to extend further?

**BARBARA WISE:** I would have to take it on notice. We have exercised an option already to get us to June 2024.

**The Hon. DANIEL MOOKHEY:** That is what I was asking. In order for the contract to continue to 2024, we have had to exercise an option. Is that correct?

**BARBARA WISE:** Yes, that is correct.

**The Hon. DANIEL MOOKHEY:** Ordinarily we have two options, do we not, on these contracts?

**BARBARA WISE:** In the past that has been the case, but I would need to take on notice if we have any further available to us.

**The Hon. DANIEL MOOKHEY:** In exercising the option have we incurred any further cost?

**BARBARA WISE:** I would have to take that on notice.

**The Hon. DANIEL MOOKHEY:** Well, does the option effectively mean that the contract continues on its existing terms? These contracts themselves, after they have concluded, are generally public. They are not—

**BARBARA WISE:** Yes, and they would be disclosed in line with our contract disclosure requirements and would be available on any website.

**The Hon. DANIEL MOOKHEY:** Yes. Therefore, I am wondering whether or not there is any adjustment to the rates or services or the ability if you exercise the options.

**BARBARA WISE:** My understanding is that it would only be in line with any CPI or fuel escalations that would apply in a normal circumstance.

**The Hon. JOHN GRAHAM:** I accept you have taken this on notice, so I look forward to the response. But, as of today, there is just no explanation from the agency about why this is postponed for a year. This was meant to be dealt with. Is that really the position as we sit here today? There is just no explanation at all?

**BARBARA WISE:** I will take that one on notice. I need to take some advice on that.

**The Hon. DANIEL MOOKHEY:** Do we have to repeat the entire request for proposal expressions of interest, which always happens when you re-let regional contracts and other forms of bus contracts? Does the entire process restart now?

**BARBARA WISE:** I will put it in a bit of context. We negotiated with all incumbent operators, as per a Government decision from 2019 to do so. Nine of those 11 contracts were negotiated successfully in line with ICAC direct negotiation guidelines and as part of the Government procurement policy. We could not reach a sustainable outcome for two of the contracts, which were the two Central Coast contracts, which is why we are now going to tender for those two contracts. In terms of the process, it would be a normal tender process. There has not been a full tender process to date.

**The Hon. JOHN GRAHAM:** Who are the existing operators of those contracts at the moment?

**BARBARA WISE:** For the two Central Coast contract regions?

**The Hon. JOHN GRAHAM:** Yes.

**BARBARA WISE:** The two operators are Busways and The Entrance Red Bus.

**The Hon. JOHN GRAHAM:** Right, okay. I think they both would have been operating for quite some time in the area. Is that a fair comment?

**BARBARA WISE:** That is a fair comment, yes.

**The Hon. DANIEL MOOKHEY:** Can I return to questions to do with the new intercity fleet or what I think you refer to as the Mariyung Fleet—is that right? Are we talking about the same thing?

**ROB SHARP:** The new intercity fleet?

**The Hon. DANIEL MOOKHEY:** Yes.

**ROB SHARP:** The Mariyung.

**The Hon. DANIEL MOOKHEY:** I am going to refer to it as the NIF, just because that is what it is described as in the budget papers, for what it is worth as well. As I understand it, how much of the rolling stock has arrived already?

**ROB SHARP:** I will pass to Mr Merrick on the exact number.

**DALE MERRICK:** There are 25 10-car sets in the country.

**The Hon. DANIEL MOOKHEY:** How many more are due?

**DALE MERRICK:** A total of 610 cars.

**The Hon. DANIEL MOOKHEY:** They are all due running to 2035. Is that correct?

**DALE MERRICK:** Yes, that is the program delivery.

**The Hon. DANIEL MOOKHEY:** How many are we meant to be getting per year?

**DALE MERRICK:** The cadence was originally two per month.

**The Hon. DANIEL MOOKHEY:** When you use terms like "it was originally two per month" you invite the follow-up question, which is: What is it now?

**DALE MERRICK:** It is a reflection of the industrial action that is surrounding the train at the moment.

**The Hon. DANIEL MOOKHEY:** But that is in terms of it coming into the country—as in, this is coming from South Korea, correct?

**DALE MERRICK:** Correct.

**The Hon. DANIEL MOOKHEY:** I presume they are still arriving. The arrival from South Korea is not affected by industrial action.

**DALE MERRICK:** That is correct, yes.

**The Hon. DANIEL MOOKHEY:** So how many are arriving from Korea every month?

**DALE MERRICK:** The planned cadence is two per month. I would have to check and take on notice the actual delivery schedule.

**The Hon. DANIEL MOOKHEY:** To be fair, the actual owner of these assets is the Transport Asset Holding Entity. Is that correct?

**DALE MERRICK:** Correct.

**The Hon. DANIEL MOOKHEY:** The Transport Asset Holding Entity advised us in the October round of this budget estimates that there were delays in the South Korean supply chain. Are you aware of that?

**DALE MERRICK:** I am not aware of the actual details of why there were delays, but I am aware.

**The Hon. DANIEL MOOKHEY:** You are aware that there are delays?

**DALE MERRICK:** Yes.

**The Hon. DANIEL MOOKHEY:** What have you been advised in terms of the delays? What information have you received from the asset owner as to the reason for the delay?

**DALE MERRICK:** My understanding of the delays is that early on in the schedule the delivery was exposed to what would be considered normal supply chain delays. Subsequent to that there were delays that were associated with COVID and the delays since September last year have been around the protected industrial action.

**The Hon. DANIEL MOOKHEY:** The protected industrial action is about deploying them, isn't it? It is not about receiving them from Korea. What impact does the industrial action have on whether or not these are shipped from South Korea?

**DALE MERRICK:** The effect of protected industrial action is around testing and commissioning of those trains when they arrive in the country.

**The Hon. DANIEL MOOKHEY:** Fair enough. But I am talking specifically about arrival, not post-arrival, which I can understand. Can I just understand that, if there is a delay on the ones that are already here, you might then adjust the order for those that are shipping. Is that what has happened?

**DALE MERRICK:** That is potentially an outcome.



**The Hon. DANIEL MOOKHEY:** Mr Merrick, you are saying that is potentially an outcome. I am asking you specifically what is going on?

**DALE MERRICK:** I would have to take it on notice as to what the actual delivery schedule was as opposed to what it has been.

**The Hon. DANIEL MOOKHEY:** What are you doing to adjust for the delays?

**DALE MERRICK:** As the operator—and TrainLink is the operator—we have effectively ceased the operational verification activities associated with the train and obviously supplying resources to Transport for testing and commissioning.

**The Hon. DANIEL MOOKHEY:** Are you going to need to continue to run the existing fleet longer as a result? Will it slow out the rate of replacement?

**DALE MERRICK:** That will be a potential outcome if the delay to the train is further realised, yes.

**The Hon. DANIEL MOOKHEY:** So as you have to run the existing fleet for longer, does that mean that they are going to need to go through any additional maintenance to keep them operational?

**DALE MERRICK:** Depending on the time that we would be required to keep the current fleet, that is a potential outcome, additional maintenance, yes.

**The Hon. DANIEL MOOKHEY:** Are you modelling this?

**DALE MERRICK:** TrainLink is not modelling that.

**The Hon. DANIEL MOOKHEY:** Who is?

**DALE MERRICK:** That modelling would be done by IMP within Transport and Sydney Trains as the maintainer.

**The Hon. DANIEL MOOKHEY:** Over to you, Mr Sharp. Do you want to fill us in?

**ROB SHARP:** At the moment we have a number of these carriages that are actually ready for entry into service. Once the industrial operating model is agreed, a number of these would potentially enter service—the key caveat there is agreeing the operating model. There are a number of trains that are in storage here that would need testing. That testing is once again subject to the industrial relations action, so that testing would occur.

We have something like 28 train sets that could be deployed very quickly. That would obviously address the issue that you are talking about. From a maintenance perspective, if it is protracted, clearly there would be some ongoing maintenance activity on the older train sets. We would be hopeful that we could arrive at a solution with the unions to get these into service. The reason is they are a great product. The community, we believe, will actually enjoy this. There is a great product here for those who are challenged on accessibility, and we are very keen to see these in service.

**The Hon. DANIEL MOOKHEY:** Will all 610 arrive by 2035 still?

**ROB SHARP:** My understanding is that they are still on schedule producing these trains.

**The Hon. DANIEL MOOKHEY:** Is that a yes?

**ROB SHARP:** Yes.

**The Hon. DANIEL MOOKHEY:** So all 610 of them are still on track for—

**ROB SHARP:** My understanding is that the end date is still that date.

**The Hon. DANIEL MOOKHEY:** What is the additional cost as a result of the supply chain delays coming out of South Korea?

**ROB SHARP:** The project has a budget of \$2.8 billion, and we are on budget for that \$2.8 billion. The caveat is, obviously, if industrial relations delays continue, with the bank-up of these trains, that will cause supply chain challenges. There are real costs associated with that. As we stand here today, we are on budget and those trains have arrived. Obviously, that will change from here on if this does not get resolved.

**The Hon. DANIEL MOOKHEY:** My final questions—and there are not many of them left on this particular matter—are to Mr Merrick in respect to the access fee arrangements with TAHE to pay for these carriages. Are you paying them to access the 28 that they own right now?

**DALE MERRICK:** We are paying for the asset through the maintenance regime, yes.

**The Hon. DANIEL MOOKHEY:** What about the access fees? You are paying to maintain them, but are you paying to actually use them still?

**DALE MERRICK:** I would have to take that on notice and confirm.

**ROB SHARP:** I could add to that. The fees that Transport pays are only for assets that are in service.

**The Hon. DANIEL MOOKHEY:** So TAHE will get less revenue if it cannot give you the asset at the time that they have warranted that they could. That is fair?

**ROB SHARP:** That would be a flow-on consequence of a continuing delay.

**The Hon. DANIEL MOOKHEY:** So there is a revenue risk to TAHE. It is good for you, Mr Merrick. You do not have to pay. But it is a case of—

**ROB SHARP:** We pay for assets that we use. There is a challenge there for the asset holding company if the industrial action continues.

**The Hon. DANIEL MOOKHEY:** Also if the South Korean supply chains continue, yes?

**ROB SHARP:** We have got 28 carriages here already. That would come into service if we achieve an agreement.

**The Hon. DANIEL MOOKHEY:** Do you know, Mr Sharp, from your TAHE experience, are we still getting the two per month?

**ROB SHARP:** Mr Merrick has taken on notice the exact two a month.

**The Hon. DANIEL MOOKHEY:** Yes, that is from his perspective.

**ROB SHARP:** Certainly, there have been train sets continuing. Where I am not sure is the storage facilities here—have we reached any limits in that? In which case, that would affect supply chain, but that is a future challenge.

**The Hon. DANIEL MOOKHEY:** There are supply chain issues across the supply chain. Worldwide there is a semiconductor shortage. It is not a surprise that there are issues when it comes to rail manufacturing. South Korea is affected.

**ROB SHARP:** I am not aware of any global supply chain issues, but I will take that on notice too.

**The Hon. DANIEL MOOKHEY:** To be fair, the CEO of TAHE told us that at estimates—that there were issues to do with South Korea's ability to access the materials required to build the sets. What I am asking is have you been advised, firstly, as to what they are—which you have taken on notice. But, specifically, we are meant to be getting two a month. Are we still getting two a month?

**ROB SHARP:** I will take on notice the exact delivery schedules, as Mr Merrick has said.

**The Hon. JOHN GRAHAM:** I just want to turn to the issue about the Zero Emission Bus Transition Strategy. This was something where Minister Constance announced a goal. He perhaps did not deliver the entire budget for this program. This is challenging in the city; it is a big challenge, though, in the regions. I just want to touch on some of those challenges. One of them is that categories one to four dedicated school buses are a significant part of rural and regional service provision contracts. There appears to be no suitable zero emission buses that could be used to replace these, as one of the examples of some of the challenges here. Does the department see that as a challenge?

**ROB SHARP:** The short answer is yes. We have been consulting with the bus industry and supply chain and developing a strategy. We do have a strategy that is about to be tabled with Cabinet for consideration, and that strategy takes into account the challenges of where technology is at, particularly for some of the regional areas. It is an interesting one, because we have a large number of smaller bus entities in the regional areas. Some of the concerns they have raised are about that transition and skill set. The longer distances as well are a challenge, and so hydrogen buses may well be the solution. That technology is in its very infant stage. We are doing trials in conjunction with whole of government around the hydrogen supply chain and where that may play a role. The strategy will be a phased strategy in terms of which areas you are focusing on, where is the technology at and can be delivered immediately, and where do we need to continue to consult with the industry.

**The Hon. JOHN GRAHAM:** It is fair to say that that will essentially start in the city and then roll out to the regions. That is for the reasons you are describing.

**ROB SHARP:** That is the thinking at the moment, correct.

**The Hon. JOHN GRAHAM:** Yes. What does that mean for operators in the regions who might be purchasing buses or making changes to depots? There is a risk here, given the goal is not that far away, that they might develop stranded assets as a result of this.

**ROB SHARP:** Yes, we are very much aware of that risk, and they have raised that with us. This does come down to time lines. It also comes down to what commitments we make with those industry players. As I said, there are a number of options here, a number of costs and a number of scenarios, and we will be presenting that to Cabinet. I am not here to say what the government policy will be on it.

**The Hon. JOHN GRAHAM:** Sure, understood.

**ROB SHARP:** But those risks that you raise are very real and we cover that in our strategy.

**The Hon. JOHN GRAHAM:** That has been a good set of responses, Mr Sharp. Can I just ask you to respond to two other challenges, just to see how high these rate on your list of concerns that are being tackled? One of those is the expected life and maximum age limits of these buses, given the conditions they will be travelling in in regional areas. That is more of a challenge, presumably, in those regions.

**ROB SHARP:** It is an interesting one because if you look at diesel buses, there is a maintenance program and a typical life for those vehicles. They have been around for many, many years and it is well known. For electric buses, one of the key factors is battery replacement. That is a very large part of the cost base. The actual life span of an electric bus could be different, and we are looking at one of those envelopes, one of those mid-life costs that you need to do, for example, refreshing batteries and product to get the life. That does have an overall implication then in terms of the cost effectiveness and when those cost points in the market might be realised. The strategy takes those into account. It is a really interesting issue. They are different life spans, and that is something we would talk to the bus industry about, including the suppliers.

**The Hon. JOHN GRAHAM:** How much of a challenge is flat-out electricity supply in some of these regional areas? Obviously this might put far more of a drag on the grid. These assets will not necessarily be developed ready for this at the moment. How large of a challenge is that when it comes to looking at rolling this out to the regions?

**ROB SHARP:** There are other challenges as well. You may actually find six buses parked in a paddock. The paddock is not going to have overhead power cables. So there are logistical challenges there. We are very much aware of those. In fact, at the moment we are working with the Sydney regions where we have contracted the electric buses and we are actually working through the practicalities of infrastructure—what is needed, how do you actually get the wiring and the overhead charging equipment in. It is very complex, lots of logistics involved, and I can see that translating also into the regional areas. We are going to continue to consult with the regional areas. We are not forcing something onto them.

**The Hon. JOHN GRAHAM:** Understood.

**ROB SHARP:** This strategy is really needing to now sit with Government on a policy direction.

**The Hon. JOHN GRAHAM:** Thank you. We might leave that there.

**The Hon. DANIEL MOOKHEY:** Can I ask you about the Martin Bridge, Taree project? Who is the best person there on this one?

**ROB SHARP:** Are you across this?

**MATT FULLER:** Martin Bridge, Taree? We may have to take it on notice, but—

**The Hon. DANIEL MOOKHEY:** Okay. Are you currently repainting the Martin Bridge in Taree?

**MATT FULLER:** We will have to take that on notice.

**The Hon. DANIEL MOOKHEY:** Okay. Well, I think you are. From your website, you apparently are repainting the Martin Bridge in Taree, and there has been a delay. I am just reading from your website. It says:

Work on the project started on 11 June. Due to weather delays and continuing COVID-19 impacts ... we are expecting delays to the completion of the ... project.

So I am interested as to when this project is meant to complete. Do you mind taking that on notice?

**MATT FULLER:** Can do, no problem.

**The Hon. DANIEL MOOKHEY:** Can you also take on notice what the budget is for the project?

**MATT FULLER:** We can take that on notice, no problem.

**The Hon. DANIEL MOOKHEY:** Equally, I cannot see it reported anywhere in the budget papers, and I understand it to be a significant project, so I would be interested if you can tell me where precisely the money is coming from for that particular project?

**MATT FULLER:** We can take that on notice. But generally, for maintenance programs, they may not appear as separate items in the budget papers. Our original maintenance delivery area has a substantial budget. Mr Graham was referring to the asset management plan. It is detailed in there. There is about a \$1.3 billion budget.

**The Hon. DANIEL MOOKHEY:** That is on the recurrent side, yes?

**MATT FULLER:** That is right. Repainting of the bridge would be of a recurrent nature. So that would fall in the maintenance delivery space, I assume. We will check, and we will come back on the detail of that.

**The Hon. JOHN GRAHAM:** I turn to another set of questions on electric vehicles. This is really about the EV charging stations for vehicles and where we are up to on the rollout of that. The Government has made a number of commitments. Some of those have been working with NRMA, for example. But also, in February 2022 there was talk about co-funding 1,000 electric-vehicle charging stations across the State over four years at intervals of 50 kilometres. Where is that up to?

**ROB SHARP:** In terms of the actual status of delivery, I am not across the detail. I am, obviously, aware of the latest commitment in terms of the rollout in February. It is through a partnership with NRMA, so I would have to take that on notice and come back with the exact status.

**The Hon. JOHN GRAHAM:** Perhaps in doing that, could you give us some breakdown? I am open to what would be the most sensible way to break it down, but some regional breakdown of where these are, as we stand now. This commitment has been made. Where are we at now? Perhaps by each State electorate or whatever regional boundary is sensible, Secretary, from your point of view.

**ROB SHARP:** Yes.

**The Hon. JOHN GRAHAM:** And then how rapidly this is going to be rolled out. It is obviously a very short time frame, given the intervals we are talking about of just 50 kilometres.

**ROB SHARP:** Yes, agreed. We will come back with that detail and will break it out accordingly.

**The Hon. JOHN GRAHAM:** In terms of the funding for those, what is the breakdown of the 1,000 vehicle charging stations between the private operators and the New South Wales Government?

**ROB SHARP:** I am not across that detail, so I will have to take that on notice.

**The Hon. JOHN GRAHAM:** Just to make it clear, I think we are looking for an assessment not only of this commitment but also of how many charging stations are in place at the moment. What are we building from now and how much will this add?

**ROB SHARP:** So what is the baseline and what are the new additions?

**The Hon. JOHN GRAHAM:** Yes, precisely.

**The Hon. DANIEL MOOKHEY:** I will ask you a couple of quick questions, which I suspect, Mr Sharp, you might need to take on notice as well. This arises from the Restart NSW fund. Specifically, I am talking about *Budget Paper No. 3*. On page 4-6 the Restart NSW commitment at the 2021-22 budget for the Fixing Country Roads program is listed as \$458 million, which I interpret as being all the commitments in the years to date for that program from that fund, not just the ones granted in this particular budget. I am hoping that you could provide us, either now or more likely on notice, a list of all the projects that that \$458 million is committed to.

**ROB SHARP:** Yes, I will take that on notice. You did raise recently a question around the new-start regional road corridors, and there were some—

**The Hon. DANIEL MOOKHEY:** I got to the bottom of that myself.

**ROB SHARP:** I have the details here if you want it.

**The Hon. DANIEL MOOKHEY:** It is okay. You have already said that you would provide it on notice.

**ROB SHARP:** Send it through? Excellent.

**The Hon. DANIEL MOOKHEY:** But I have a suspicion that I have solved that particular dilemma myself. But thanks for the help. Could you help me with the \$458.2 million commitment? This is a commitment, right? This money has not yet been acquitted, is my interpretation.

**ROB SHARP:** Yes.

**The Hon. DANIEL MOOKHEY:** What are the actual roads that are being fixed and over what years is that money meant to be acquitted? That would be helpful if that is possible.

**ROB SHARP:** Yes.

**The Hon. DANIEL MOOKHEY:** Can we also get the same for the \$240.3 million that is listed as "Fixing Country Rail", coming from Restart NSW, if you do not mind?

**ROB SHARP:** Yes.

**The Hon. DANIEL MOOKHEY:** Can I ask for a similar explanation for the \$309.1 million for the Bridges for the Bush program as well as where that is going to?

**ROB SHARP:** Yes.

**The Hon. DANIEL MOOKHEY:** Great.

**The Hon. JOHN GRAHAM:** I just want to turn to the level crossings issue which has been raised really with the former Minister more prominently than with this Minister. The former Minister wrote to the Deputy Prime Minister in July 2021 seeking an acceleration of the New South Wales' and Australian Government's shared commitment to improving level crossing safety. Are you aware, Secretary, of any response to that request?

**ROB SHARP:** Yes. Look, what I can say is there is actually a high level of interest internally in Transport on the level crossings. It is an interesting challenge because a large number of them—about 50 per cent of them—are actually on private properties. That has generated some innovative thinking. So we are actually about to launch some trials, some technology trials, which we are funding. These are what I would call low cost technology that could actually be effectively deployed in an isolated environment and be self-managed with data. So we are about to kick off those trials. The inland rail project as well has a number of alignments that need looking at so, effectively, the New South Wales corridor and the southern end is effectively being upgraded with the ARTC exercise. There are quite a few hundred million dollars in that program for realignment to remove some of the level crossings.

**The Hon. JOHN GRAHAM:** How many level crossings might that improve? Just give us some sense.

**ROB SHARP:** Small numbers.

**The Hon. JOHN GRAHAM:** Yes, sure.

**ROB SHARP:** I think seven or eight. It is not the 1,300 or so level crossings that are out there across the various farms.

**The Hon. JOHN GRAHAM:** Yes. I understand.

**ROB SHARP:** We are allocating some funds to those trials, the aim being to then roll out a program. With targeting these trials on level crossings—and there are probably about 900 of them—that, ultimately, if these trials are successful, we would look to put a business case up. We are not liaising with the Commonwealth Government as well. This is obviously a national issue so the secretaries across Australia are all aligned on this. We are sharing learnings and there are some new entrants that have come into the market as well with some technology. So technology looks like it is going to be part of the solution here but we are at a point where probably another 12 months would be my suspicion to get those trials done and then present a business case to government.

**The Hon. JOHN GRAHAM:** Right. It is definitely not heading towards this budget cycle but are you hopeful of getting into the next budget cycle? Is that an option here?

**ROB SHARP:** Yes, correct.

**The Hon. JOHN GRAHAM:** Thank you for that. If you could take on notice whether there has been a response from the Australian Government to that specific correspondence?

**ROB SHARP:** Yes. I will take that on notice.

**The Hon. JOHN GRAHAM:** I accept that it has been the subject of some joint discussions in the way you have described.

**The Hon. DANIEL MOOKHEY:** Mr Merrick, this is for you. I suspect that you might potentially need to take some of this on notice as well. By any chance, do you have the annual report with you?

**DALE MERRICK:** Not on me, no, I do not.

**The Hon. DANIEL MOOKHEY:** I walk around with the annual report, but I can understand why you would not.



**The Hon. WES FANG:** You definitely walk around with a lot of questions.

**The Hon. DANIEL MOOKHEY:** I walk around with a lot of them.

**The Hon. WES FANG:** You walk around with a lot of questions; I will give you that.

**The Hon. DANIEL MOOKHEY:** Can I ask you, Mr Merrick—I am just referring to a couple of issues in which I am interested in an explanation of what they are and what they mean—but apparently you, in your sales of goods and services from contracts with customers in the past financial year, earned \$25 million from what was described as labour cost recovery and that is \$5 million greater than the year before, so congratulations on increasing your revenue by 25 per cent on that item. What is that?

**DALE MERRICK:** I will take that on notice and give you the detail.

**The Hon. DANIEL MOOKHEY:** Thank you. Equally, according to your other operating expenses, you used \$30 million in the past financial year for what was described as other contractors. Is that labour hire?

**DALE MERRICK:** Again, I will take that on notice and I will get you the detail.

**The Hon. DANIEL MOOKHEY:** Thank you. If you do not mind, that would be good. Equally, it says here that your track access fee was \$19 million as well. That is not the TAHE fee. That is something else. What is that?

**DALE MERRICK:** We have access to five networks.

**The Hon. DANIEL MOOKHEY:** Okay.

**DALE MERRICK:** I can take on notice what the breakdown is for those five networks.

**The Hon. DANIEL MOOKHEY:** Okay. That would be helpful. The other ones are explained, so that is it from me. That will be helpful if you can take those on notice, thank you.

**The Hon. JOHN GRAHAM:** I just want to turn to the Jenolan Caves Road. Damage to the access road to the Jenolan Caves precinct occurred in 20 March 2021. There was severe damage by flooding and landslides and it has really led to a prolonged road closure. I mean, it is a very significant way around, given this key road. Where is this project up to, or where are these repairs up to?

**ROB SHARP:** I will pass this to Mr Fuller, but it is a very substantial land slip and engineering challenge.

**MATT FULLER:** Thank you, Mr Graham. You are quite right. The team continue to work on Jenolan Caves Road. The good news is that it was actually reopened again on Friday of last week after the current events and there is ongoing work on the road corridor, as you have suggested, but the slips this time around were minimised and the team were able to do that. I think it is fair to say that progressively as work continues that road is becoming more resilient, and we were able to reopen it sooner after these events. That work will continue. I will have to take on notice exactly when it is scheduled to complete.

**The Hon. JOHN GRAHAM:** But is it fully open at the moment?

**MATT FULLER:** It is open at the moment.

**The Hon. JOHN GRAHAM:** Subject to being closed for when work is occurring.

**MATT FULLER:** We always seek to do controlled access. Maybe there are speed limitations. There could be stop-go arrangements in one lane, for example, to ensure that it is safe.

**The Hon. JOHN GRAHAM:** When I drove it reasonably recently, it was closed altogether.

**MATT FULLER:** It was open on Friday for members of the public to access the caves ahead of the weekend, which I know the Caves House and the team were pretty pleased about.

**The Hon. JOHN GRAHAM:** What has been the cost of the work, particularly in the slope failure in the area at the top of Five Mile Hill?

**MATT FULLER:** I would have to take that on notice and come back with an exact figure.

**The Hon. JOHN GRAHAM:** I ask in part because the former Minister has been saying that there has been extensive work to do in repairing that part of the road.

**MATT FULLER:** That is correct. If I could just respond to Mr Mookhey's question earlier on the bridge at Taree.

**The Hon. DANIEL MOOKHEY:** Yes.

**MATT FULLER:** You are quite correct. We do have an ongoing maintenance program.

**The Hon. DANIEL MOOKHEY:** Indeed.

**MATT FULLER:** Absolutely. The main reason for the delay was the flooding event last year. It actually removed a substantial part of the scaffold from the bridge, so that has been delayed. There is no question about that.

**The Hon. DANIEL MOOKHEY:** With the flooding event, you are referring to which—

**MATT FULLER:** The one from last year. You probably recall around Easter time, from memory, a significant flooding event up there. The team's rescheduled date for completion is by the end of this year and the estimated cost is \$26 million.

**The Hon. DANIEL MOOKHEY:** Thank you. I was going to ask about regional bus driver shortages. If you do not mind, Mr Secretary, I do not know who to direct that to. Are we experiencing shortages of bus drivers in regional New South Wales?

**ROB SHARP:** I will pass this one to Ms Wise.

**BARBARA WISE:** Certainly. I have regular meetings with BusNSW, which is the industry body representing bus operators across New South Wales. A lot of their membership is regionally based. As I hope you are aware, my team contracts with all of the regional bus operators for services across New South Wales. We have been made aware over the course of COVID of some experiences around issues with drivers falling ill, in terms of a bit of fear among drivers about being exposed to COVID, especially through schoolchildren, who for a lot of time were not actually able to be vaccinated. We have not had, to my knowledge, any significant service disruption associated with shortages of drivers, and in a more broad sense around discussions with BusNSW, they have not raised a specific concern around immense difficulty getting bus drivers. However, it is a highly skilled job, driving around a heavy vehicle with precious cargo on board, so the bus operators we contract with are very keen to make sure they get hold of people who have those high skills.

**The Hon. DANIEL MOOKHEY:** I am advised that there have been impacts on services in the Hunter Valley area, with Hunter Valley Buses specifically having to make adjustments to mitigate the impact as a result of driver shortages. So is it possible—

**BARBARA WISE:** We have not had significant impacts, as I said. I am aware, during the start essentially of the school term—a lot of the services we provide are for school students—that Hunter Valley Buses needed to shift around services as such in order to make sure that services could be provided, but I am not aware of massive service cancellations. There may have been a couple of days where a small number of services were cancelled, but mostly it has been managed by shuffling service provision around rather than significant or ongoing chronic driver shortage. I attend quarterly executive meetings with Hunter Valley Buses and that is not something that has been raised with me.

**The Hon. DANIEL MOOKHEY:** Will you provide on notice, if possible, an update of what strategies are in place to assist in the recruitment of bus drivers to regional New South Wales?

**BARBARA WISE:** I am happy to take that on notice.

**The Hon. DANIEL MOOKHEY:** If possible, can we get a response to the BusNSW suggestion around specific funding to allow new recruits to the bus and coach industry to upgrade to a heavy rigid or a medium licence?

**BARBARA WISE:** It is not something I can answer because I do not handle that kind of part, but some part of transport certainly does.

**The Hon. DANIEL MOOKHEY:** Maybe the secretary should to take that on notice.

**ROB SHARP:** I will take it on notice.

**The Hon. DANIEL MOOKHEY:** Thank you. That would be good.

**The Hon. JOHN GRAHAM:** I want to turn to what I would describe as some of the best-known commuter car parks and the commitments that have been made recently about the \$30 million for the Gosford commuter car park project, and also the \$5 million for the Woy Woy commuter car park project. These commitments were made by the Commonwealth Government but obviously they are being implemented in New South Wales. What is the status of those two car park projects?

**ROB SHARP:** I will have to pass this to—

**MATT FULLER:** I am aware that we have a note on this one, but we may have to come back to it or take it on notice, just in terms of exactly where those projects are at.

**The Hon. JOHN GRAHAM:** Feel free to keep looking for it. I will ask one other question and if you do not have any details, you can provide them. I might put to you a range of detailed questions on it. While you are checking that, I will ask you about another issue in the Central Coast area, and that is on the western side of the Central Coast, with the road closure of Settlers Road at the intersection of the Old North Road near Wisemans Ferry crossing.

**The Hon. WES FANG:** This is very localised.

**The Hon. JOHN GRAHAM:** The road requires rapid remediation due to the fact that Ausgrid trucks need to get around to the Macdonald River valley in the Hawkesbury to repair the electricity. That is why it is urgent. Is there any update about that situation?

**MATT FULLER:** I will have to take that on notice. That is a very specific issue.

**The Hon. JOHN GRAHAM:** Yes, understood. Is there anything you can tell the Committee about the commuter car parks?

**MATT FULLER:** Not at this point, Mr Graham. We will come back to you.

**The Hon. JOHN GRAHAM:** I will put these details to you and I am happy for you to take them all on notice, if that is the case. Where are we up to in general, including, has the New South Wales Government surveyed potential sites for where they might go? What are the sites? When might this happen? What are the current time lines for this? Have we actually produced any of the documents that you might normally associate with these sorts of developments? Have we produced a strategic business case document? Is there a draft development project proposal? Finally, how much of the money that has been committed for each of those, that is, \$30 million for Gosford, \$5 million for Woy Woy has been spent?

**MATT FULLER:** We will see what information we have got and come back to you.

**The Hon. DANIEL MOOKHEY:** Well, on that, Mr Secretary, certainly from our perspective, I think we are done.

**The Hon. WES FANG:** Oh really?

**The Hon. DANIEL MOOKHEY:** But the Government has 15 minutes to interrogate you. Scott, do you have questions?

**The Hon. SCOTT FARLOW:** No, not today.

**The Hon. DANIEL MOOKHEY:** Is there any further information that any witness would like to provide?

**ROB SHARP:** We had something on the crisis committee that you asked earlier.

**PETER DUNPHY:** Mr Mookhey you asked if transport was involved in the Crisis Communication Network. I can confirm that we are part of the whole-of-government Crisis Communication Network which is led by DCS and that we are fully engaged with the network, particularly in relation to the current flood crisis and also our COVID response. Transport is also a member of the communications data and reporting subcommittee, which is led by Department of Customer Service under the State Recovery Committee as well.

**The Hon. DANIEL MOOKHEY:** Thank you, Mr Dunphy, that is helpful. Mr Secretary, that brings our hearings to an end, and equally, brings this forum of budget estimates to an end too.

**The Hon. WES FANG:** I am pretty sure the other one's already finished.

**The Hon. DANIEL MOOKHEY:** On behalf of this Committee, I convey our thanks to you for today, of course, but equally I should acknowledge that transport is the most estimated of all government departments and you have provided four days of evidence, which I know takes a lot of effort.

**The Hon. SCOTT FARLOW:** I am sure you had nothing else to do.

**The Hon. DANIEL MOOKHEY:** We really appreciate it, as well as the professionalism the department continues to display in this process. Please convey our thanks to all the officials who appeared across the four days.

**ROB SHARP:** Thank you.

**(The witnesses withdrew.)**

**The Committee proceeded to deliberate.**